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*Speaker: Honourable Scott Reid, MHA*

Thursday

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The House met at 1:30 p.m.

**MR. SPEAKER (Reid):** Are the Government House Leaders ready?

Order, please!

Admit strangers.

**Statements by Members**

**MR. SPEAKER:** Today we will hear Members' statements from the hon. Members for the Districts of Ferryland, Humber - Bay of Islands, Mount Pearl - Southlands, Grand Falls-Windsor - Buchans and Fortune Bay - Cape La Hune.

The hon. the Member for Ferryland.

**MR. O'DRISCOLL:** Thank you, Mr. Speaker.

I rise today to recognize and congratulate the organizers of the 10th annual Calvert Masters Golf Tournament. The event was held August 22 and was organized by volunteers from the community of Calvert.

It is an event where current and past residents and friends of the community are invited to play in support of a charity. The first five years the charity of choice was the Dr. H. Bliss Murphy Cancer Care Foundation, and the past five years were the Janeway Children's Hospital Foundation.

The 2019 event raised \$53,500 for the Janeway. All net proceeds will assist the Janeway Foundation to acquire the newest pediatric medical equipment, continued education, life-saving research and vital programming for pediatric care.

The last 10 years have been a great success. Organizers have raised over \$565,000. Thank you to the community of Calvert for choosing to support children's health care and cancer care charities in the province. The committee is confident the event will continue for years to come as golfers compete for the coveted green jacket.

Mr. Speaker, I ask all Members in this House to join me in congratulating the organizers of the

Calvert Masters Golf Tournament on another successful tournament.

Thank you.

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

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

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

I have the honour today to rise in this hon. House to recognize a lady who promised she would do a jig for me on her birthday. So I'm looking forward to tomorrow, as Mrs. Lillian Mae Wells of Cox's Cove will celebrate her 107th birthday.

Born in Gillams, Bay of Islands, on December 6, 1912, Mrs. Wells was the oldest of five children born to Edmund and Margaret Blanchard. In her younger years, she worked in the woods with her father cutting wood and helped out with whatever needed to be done. She worked in the herring store, operated her own convenience store and took in boarders every winter.

In 1949, as a young widow, she moved to Cox's Cove with her five daughters to work as a housekeeper for Benjamin Wells, a widower with four children. In 1953, they married and had two more children. She now has 23 grandchildren, 33 great-grandchildren, 20 great-great-grandchildren and two great-great-great-grandchildren.

With the help of family and home care workers, Mrs. Wells still resides in her home and she enjoys company dropping by for a chat. I recently visited her and she was very witty and she even got her little jab in about me.

Mr. Speaker, I ask all Members to join me in wishing Mrs. Lillian Wells on a very happy 107th birthday. Thank you, Mrs. Wells.

**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 two individuals who have given their time and talents to the sport of soccer in the City of Mount Pearl and have recently seen their achievements recognized by being inducted into the Mount Pearl Soccer Hall of Fame.

Dave Bailey's playing career epitomizes the consistent, competitive qualities necessary to achieve a high standard of success in sport, which can be attested to by his teammates in both minor and masters soccer over a 36-year span. During that time, he has demonstrated tremendous skill and has won numerous team and individual awards.

Jon Kelly represented the Mount Pearl Soccer Association as a player for 24 years starting in the Under 8 division and continuing through to the men's Challenge Cup team. Like Dave, Jon, too, received numerous team and individual accolades over the years and was a coach's dream taking on every role assigned with passion, competitiveness and heart. Jon's playing career was cut short due to an injury, but he continued to give back as a coach from 2005 to 2016.

I ask all Members of this hon. House to join me on congratulating these two quality individuals on a tremendous soccer career and on being inducted into the Mount Pearl Soccer Hall of Fame.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The hon. the Member for Grand Falls-Windsor - Buchans.

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

I rise today to recognize Mr. Bruce Moores of Grand Falls-Windsor for his extensive life as a volunteer. Mr. Moores has devoted 42 years of service to the Grand Falls-Windsor Fire Department as a captain. He has spent many mornings over the years feeding children in the breakfast programs up to three days a week.

Mr. Moores has spent time as a councillor for Grand Falls-Windsor and as a scout leader in

Botwood in his earlier days. In the past, he has received Citizen of the Year for Grand Falls-Windsor, as the list of volunteer work goes on and on.

Turning 77 on December 25 of this year, his birthdate is fitting as he has donned the red suit and white beard on many occasions, bringing smiles to children's faces in the Santa Claus parade.

On November 14, Bruce Moores was inducted into the Newfoundland and Labrador Volunteer Hall of Fame.

I ask Members to join me as we honour one of our longest serving and dedicated volunteers, Mr. Bruce Moores.

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

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

**MR. LOVELESS:** Mr. Speaker, I rise today to recognize a noted citizen of Bay d'Espoir who was recently featured in an episode of CBC's *Land & Sea*.

Mr. Ralph Coombs is a long-time lumberjack of this community who resided there all of his life. He and his wife Beatrice raised six children who have all made their own impacts in life, but no bigger impact than what the life of their father has taught them. To sum up the children's words: Dad is amazing.

Mr. Coombs is a great example of how to live your life on the simplest of terms. Having worked in the construction industry until he retired at 65, he then went to work in the woods. Not one for sitting down, with a passion, he made the forests of the area his personal workspace, harvesting wood by the chord, making memories with his children up at the cabin and helping his neighbours.

At 89 years old, he treasures his time working with his chainsaw, just as he treasures time with family. A positive outlook on life keeps him going and his life's lesson is one for all of us.

Ralph, keep that chainsaw going.

Thank you, Mr. Speaker.

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

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

**Statements by Ministers**

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

**MR. CROCKER:** Mr. Speaker, I am pleased to rise in this hon. House today to invite the public to join us this evening for the 33rd annual Christmas Lights Across Canada ceremony here at Confederation Building.

Every year, capital cities across Canada participate in this event by simultaneously lighting beautiful displays of Christmas lights to kick off the holiday season.

Our event begins at 6 p.m. in the main lobby of the East Block here at Confederation Building. The Royal Newfoundland Regiment Band and the Holy Trinity Elementary Choir will provide entertainment and we will have hot chocolate, cookies and other refreshments.

A seasonal blessing will also be delivered by Captain Jeff Payne.

Six-year-old Emma Clarke from Victoria is our special guest of honour this year. She will have the privilege of lighting the 60,000 lights here on Confederation Building and along Prince Philip Drive.

Mr. Speaker, you may have seen Emma recently in the news story regarding a unicorn. Family friends made her dream come true just last weekend. Emma is a bright and brave young lady, Mr. Speaker.

We are thrilled to have Emma, her big brother Ryan, and her mom and dad Courtney and Glen joining us this evening.

Mr. Speaker, I encourage everybody to join us this evening as our Christmas Lights Across Canada ceremony kicks off the season right here in St. John's.

Thank you very much, Mr. Speaker.

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

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

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

I would to thank the hon. minister for an advance copy of his statement. Mr. Speaker, I know all Members on this side of the House join me in marking Christmas Lights Across Canada. Having participated in this ceremony myself a number of times over the years, I know first-hand what a wonderful event it is.

Mr. Speaker, it's great to see Emma Clarke of Victoria and her family – older brother Ryan, and parents Courtney and Glen – will be joining the minister later on this evening. Emma's inspirational story of courage has touched the hearts of everyone throughout the province. Let her story remind us of the true meaning and spirit of the Christmas season.

In closing, Mr. Speaker, I encourage all hon. Members to attend this evening and watch Emma welcome the holiday season.

Thank you.

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

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

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

I thank the minister for an advance copy of his statement. As a father of two girls, I can also appreciate Emma's love of unicorns. I'm very happy Emma got to meet a real live unicorn last weekend.

I join all hon. Members in wishing Emma, her family and everyone in this province, a Merry Christmas and happy holidays. We hope, Mr. Speaker, that the rest of the province gets to enjoy a white Christmas like back home in Labrador.

Thank you.

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

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

The hon. the Minister of Natural Resources.

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

Protecting our offshore environment and the safety of our offshore workers are fundamental principles. That is why I recently hosted a meeting with representatives from the Natural Resources Department, the C-NLOPB and Natural Resources Canada to discuss further opportunities to strengthen the protection of our offshore environment.

During our meeting, we discussed compliance and enforcement, looking at global best practice and penalties and order-making powers. I also held a separate meeting with operators that focused on improving safety performance and environmental protection of the province's offshore. We discussed things such as enabling proactive measures when modernizing our regulatory framework, and improving the collaboration and communication in our offshore.

As a result of these meetings, just this week the C-NLOPB hosted their first annual Spill Prevention and Response Forum here in St. John's. The forum featured over 100 participants from regulatory agencies, government departments, oil and gas industry companies, along with fishing industry representatives. The forum was an opportunity for participants to take a collective review of the lessons learned from the spills that have occurred in our offshore and take the necessary measures for prevention. I understand it was very productive, Mr. Speaker, and a valuable session.

As we move forward, we will continue this vital dialogue and collaborative approach to improve, strengthen and support offshore regulation and ensure the protection of our offshore environment and the safety of our offshore workers.

Thank you.

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

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

**MR. BRAZIL:** Thank you, Mr. Speaker, and I thank the minister for an advance copy of her statement.

I know I speak for all Members of the Official Opposition when I say that we are in favour of natural resource development, but only when it is done in a safe, sustainable and environmentally responsible manner.

Mr. Speaker, one issue in our offshore is one too many, and any amount of oil spills is unacceptable. That is why I'm pleased to hear about the recent forum. I encourage the minister, the C-NLOPB and our offshore operators to continue to come together and discuss how the entire industry can become incident free.

Our environment, and more importantly, our workers are too important to be put at risk.

Thank you, Mr. Speaker.

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

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

**MS. COFFIN:** Thank you, Mr. Speaker, and I thank the minister for the advance copy of her statement.

It is nice to see the minister taking a collaborative approach on this issue. This is a welcome first move in better protecting our offshore environment and offshore workers. I look forward to seeing tangible action in this area, including the creation of an independent offshore safety and environmental authority, which our party has been calling for since 2009.

Thank you, Mr. Speaker.

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

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

Oral Questions.

Oral Questions

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

**MR. CROSBIE:** Mr. Speaker, the Minister of Health is a highly educated surgeon who knows the need for governance by professional ethics, yet yesterday I listened to him defend the indefensible by blaming a minister's breach of ethics on the rules around lateral transfers.

How does the minister square a high set of standards in his professional life with a lower set of standards for ministers and the public service?

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

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

Unfortunately, the Member opposite has misread my comments in *Hansard*. I'd be happy to arrange for a supply of those. He's taken them out of context.

What I was talking about was the importance of the transfer of experience and knowledge between health care front-line workers and between the department and the Newfoundland and Labrador Centre for Health Information.

I am being misquoted, Mr. Speaker.

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

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

**MR. CROSBIE:** Mr. Speaker, let me help the minister come to grips with the issue.

They say you are defined by the people you spend your time with.

Is the Minister of Health content to be defined by a government which has abandoned the principle of ministerial responsibility?

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

**MR. HAGGIE:** Mr. Speaker, I think 45 seconds would be way too short to delve into that particular arena, at all.

What I can say quite clearly, Mr. Speaker, is my comments yesterday were phrased in the context of health care and the value that we have derived as a department from bringing in clinicians with considerable experience to share that with us, and for people with government experience to share that governance experience with front-line health care providers. As a result of which, the people of this province benefit considerably. They are the winners – as they were characterizing yesterday about winners and losers. They are the beneficiaries of that knowledge and experience transfer.

Thank you.

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

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

**MR. CROSBIE:** All of which is beside the point, Mr. Speaker, of how he can coexist in a Cabinet with ministers who have committed gross mismanagement.

The Minister of Justice and Public Safety is himself a highly educated lawyer who governs himself by a professional code of conduct.

How does the minister square this with serving in a Cabinet with a minister who has committed gross mismanagement of public funds in violation of the Members' Code of Conduct?

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

**MR. A. PARSONS:** Thank you, Mr. Speaker, I was waiting for the Leader of the Official Opposition to have a crack at me.

One thing I will say is I will certainly not take any lectures on ethics from the Member opposite. That's the first thing I'm going to say to this House here.

All I can say is that I'm very happy to serve as the Minister of Justice and Public Safety. I have taken an oath to this government and I have

taken an oath to the people of this province. I'll continue to do so and serve at the discretion of the Premier.

Thank you.

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

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

**MR. CROSBIE:** Mr. Speaker, the Premier is the only witness saying he did not give the order to hire Carla Foote.

Would the Premier clear the air by requesting that the Commissioner for Legislative Standards give an opinion on the matter?

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

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

The Premier did not direct me in this matter.

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

**MR. SPEAKER:** The hon. the Member for Torngat Mountains.

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

There's documented wrongdoing of a minister in the Premier's Cabinet; yet, he fails to do the right thing and remove this minister from his Cabinet.

I ask the Premier: Is this the kind of legacy that he wants for his Cabinet?

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

**PREMIER BALL:** Mr. Speaker, I've answered quite a few questions on this over the last few days. We have completed a review. I also said in my remarks a few nights ago when I was speaking to this, that you could actually take the name of this minister, that this review and this report is about, and if you go back in history, you could put many names of many ministers, Mr. Speaker.

This was about a process that we're talking about. We've identified some areas where we have concerns. The minister has seen the review. He has offered an apology, as the Commissioner has said as part of the penalty would be a reprimand and human resource review if we see fit.

Mr. Speaker, right now this is about a process that's been long-standing, and what we want to do is make sure we do a review to put a better process in place.

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

**MR. SPEAKER:** The hon. the Member for Torngat Mountains.

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

The actions of this minister is a blatant abuse of power; yet, he remains in Cabinet. People in Newfoundland and Labrador have been contacting me with questions that I can't answer.

I'll ask the Premier: Is the Premier keeping this minister in his Cabinet because the minister was simply following the Premier's orders?

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

**PREMIER BALL:** No, that is not the case, Mr. Speaker, and I've mentioned this quite a few times.

What we're talking about here is a process, as I just mentioned, that's been around a long time. I would challenge people, and people that would have been in a situation to have signed RSAs and complete RSA forms in their political life. There are quite a few people, I would say, because there are literally thousands that would have been done by previous ministers and previous premiers, and ministers that are currently sitting in our own Cabinet.

What's at question here is this process about incomplete RSAs, Mr. Speaker. I think we must keep focus on what this review is all about here, and actually how we move people amongst agencies and around government and why it's necessary that we do that; about professional development, making sure that people get the

skill sets that are multi-skilled that can be better employees.

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

**MR. SPEAKER:** The hon. the Member for Grand Falls-Windsor - Buchans.

**MR. TIBBS:** Mr. Speaker, here is a question from many people across the province here.

There have been three ministers removed from this Premier's Cabinet over the past few years. The most recent in September. We have two reports by Officers of this House concluding gross mismanagement by another minister.

I ask the Premier: When is he going to get control over his Cabinet and give the governance to the people of Newfoundland and Labrador like he promised?

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

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

**PREMIER BALL:** Mr. Speaker, we have done a tremendous amount of work, when you look back over the last four years of governance, since you brought it up, about putting things and controlling the affairs of this government. That is what this question was all about.

Number one, I could speak to things like Muskrat Falls; I could speak to things like the financial structure. This is what we've been doing over the first mandate.

As a matter of fact, we went to the people of the province and sought a second mandate, Mr. Speaker. We are in a minority government situation here, trying to work with every single Member of this government in co-operation for the benefit of Newfoundlanders and Labradorians.

Mr. Speaker, we have done a lot of work. One of the priorities we're focusing on right now is rate mitigation as an example. When you talk about getting control of the affairs of this province, rate mitigation remains the number one priority for this government and should be for all Members of this House of Assembly.

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

**MR. SPEAKER:** The hon. Member for Grand Falls-Windsor - Buchans.

**MR. TIBBS:** I disagree. I think what we've been doing so far has been using the House's time to apologize and sidestep.

The Minister of Municipal Affairs and Environment served as a town clerk and manager for a municipality of our province. Many municipalities in our province have codes of conduct and ethics for both councillors and staff.

How does this good minister square a commitment to ethics in his previous role and serving in a Cabinet with a minister who has committed a gross mismanagement of public funds in violation of the Members' Code of Conduct?

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

**PREMIER BALL:** Mr. Speaker, I can't let the preamble go here. When I mentioned that the number one priority on Newfoundlanders and Labradorians would be rate mitigation as a result of the Muskrat Falls Project, the Member stands up and says he disagrees with that being the number one priority.

Well, people that are talking to me, I can assure you – that the rate mitigation in our province right now, the 13 pieces of legislation that's been already gone through this fall session of the House of Assembly making our school zones, construction zones safer; Clare's Law as an example. I will tell you, there's been a lot of work that's been done. Yes, we're in a situation that we're debating this resolution that's currently on the Table and we'll be reviewing that as we go.

Mr. Speaker, I say to the Member opposite: The number one priority that I'm hearing from Newfoundlanders and Labradorians is electricity rates as a result of Muskrat Falls.

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

**MR. SPEAKER:** The hon. Member for Grand Falls-Windsor - Buchans.



**MR. TIBBS:** One last question to the Premier, Mr. Speaker: When are we going to start using the time of this House for those priorities and not his Cabinet?

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

**PREMIER BALL:** Mr. Speaker, there are 40 Members in this House of Assembly, and as we speak to resolutions like this, every single person has a role to play in what we actually debate in the House of Assembly. Already, we've had 13 pieces of legislation that we've been able to get through with the co-operation of Members opposite. I think for those 13 pieces of legislation, this has been a pretty good fall session. We want to see more of that.

I can assure you, I am willing to work and change legislation, put good legislation in place to benefit all Newfoundlanders and Labradorians, but it takes all 40 Members of this House of Assembly to be able to do that.

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

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

**MR. PARDY:** Mr. Speaker, the Minister of Education and Early Childhood Development is a former officer with the Royal Newfoundland Constabulary, which adheres to a code of ethics, as does the profession of teaching. The RNC recruits new officers, it asks that applicants be of high moral and ethical character and be capable of projecting a positive police role model to the community – one in which I'm sure this minister has done a good job in doing.

How does the minister square his commitment to public service as a police officer and serving in a Cabinet with a minister who has committed gross mismanagement of public funds in violation of the Members' Code of Conduct?

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

**MR. WARR:** Thank you, Mr. Speaker, and I thank the hon. Member for the question.

Yes, Mr. Speaker, I've had the opportunity to share some time with the RNC in my career. I

took great pride and great honour in representing a time-honoured police force in this province, as I've enjoyed my time here within this government and within this House of Assembly. We will continue to do the good work of the people of this province.

As we move forward, I certainly wish the members of the Royal Newfoundland Constabulary all the best and ensure that they are providing excellent police services to the people of Newfoundland and Labrador.

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

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

**MR. PARDY:** Mr. Speaker, I value the comment by the Minister of Education and Early Childhood Development. I would have liked for him to have answered the question as to the current *Mitchelmore Report* that we're currently doing.

The Minister of Service NL graduated as a nurse, a discipline that has a rigorous code of ethics and holds a certificate in leadership from Memorial University.

How does the minister square her commitment, ethics and leadership while serving in a Cabinet with a minister who has committed gross mismanagement of public funds in violation of the Members' Code of Conduct?

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

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

Yes, I am a very proud Member of this Cabinet, Mr. Speaker.

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

**MS. GAMBIN-WALSH:** This is my second post since 2015. I, too, took a Code and I'm very proud to be a Cabinet minister.

Mr. Speaker, I must say, nursing was a wonderful career, there's no doubt. This is my third career. I take the ethics and the values that

I learned in nursing and I bring them into governance, and it's working quite well. I'm proud to be here, Mr. Speaker.

Thank you very much.

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

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

**MS. CONWAY OTTENHEIMER:** Thank you, Mr. Speaker.

In his report, the Citizens' Representative stated on page 30: "Specifically, we find that Minister Mitchelmore fundamentally mismanaged his obligations pursuant" to Code of Conduct provision 10, which requires "That his relationship with government employees should be professional and based upon mutual respect and should have regard to the duty of those employees to remain politically impartial when carrying out their duties."

How can the Premier keep in his Cabinet a minister who fundamentally mismanaged his obligations and thereby violated professional ethics under this Code of Conduct?

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

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

**PREMIER BALL:** Mr. Speaker, there's been a review – and the Member opposite just spoke to one of the sections, I think it was page 30 she said. There was a significant amount of material within this review that has been put forward to the House of Assembly. There's been actually two reviews and then over to the Commissioner to actually try and articulate, identify and suggest what appropriate measures should be taken.

Mr. Speaker, the Commissioner himself, during the review of the findings and the evidence that was presented, actually had four options, which he at the time said a reprimand would've been the appropriate action. We've been through this process, as well as many other ministers that have sat in Cabinets of all administrations for a number of years. We've seen ministers – and I can assure you, there's been a lot of them – that

have been able to, in this very similar situation, remain Cabinet ministers.

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

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

**MS. CONWAY OTTENHEIMER:** Mr. Speaker, the Minister of Children, Seniors and Social Development has served on the Memorial University faculty of medicine admissions board which evaluates those wishing to become physicians that will be held to some of the highest ethical standards.

How does the minister reconcile her commitment to ethics, while at the same time serving in a Cabinet with a minister who has committed gross mismanagement of public funds in violation of the Members' professional Code of Conduct?

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

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

I've been serving in this House, thanks to the wonderful District of Cartwright - L'Anse au Clair. I've been through a by-election, a hotly contested nomination and two general elections. It's very humbling, Mr. Speaker.

I remind myself every single day what a tremendous privilege it is to serve. I remind myself of the values that my grandparents that raised me instilled in me, Mr. Speaker.

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

**MS. DEMPSTER:** One of my mottos in life is that little poem, "The Man in the Glass."

"When you get what you want in your struggle for" life "and the world makes you king for a day." It's about going back to "The Man in the Glass," Mr. Speaker.

What we're talking about here today is an independent review. There are recommendations on the floor. We're going to vote, Mr. Speaker, later on those recommendations.

My first day in this House of Assembly in 2013, a current sitting Member was standing up apologizing. We need to be careful, Mr. Speaker. I've seen lots of changes here. None of us are blameless; we do the best we can.

Thank you.

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

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

**MR. WAKEHAM:** Mr. Speaker, in his report of June 11, 2019, the Citizens' Representative stated again on pages 31 and 32: "The net effect is that The Rooms are overcompensating for the position of Executive Director of Marketing and Development in the range of \$30-\$40,000 per year." Reasonable people would expect a Minister of the Crown to exact strict scrutiny to a request for additional salary expenditures.

I ask the Minister of Finance, who has been working to reduce expenditures: How can he accept the gross mismanagement of public funds by his Cabinet colleague?

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

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

Mr. Speaker, I take the role of Finance Minister very seriously. We are looking at finding efficiencies in government.

I've heard Member after Member after Member today ask how we can sit in a caucus with somebody who has grossly mismanaged funds. I'd ask Members on the other side how they can, because the funds of this province were grossly mismanaged, Mr. Speaker, under the previous administration when you look at things like Muskrat Falls, when you look at a deficit of \$1 billion in *Budget 2015* that actually ballooned to more than double that. So I'd ask the same question.

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

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

**MR. WAKEHAM:** Mr. Speaker, I don't know when a defence of an action became something along the lines that because they did it, we can do it too. I'm not sure that's sound defence. I agree the Finance Minister is working hard at his job.

Mr. Speaker, the Finance Minister has directed all ABCs, which would include The Rooms, to manage their budgets and reduce spending. The Rooms went over budget by \$1.5 million in 2018-2019.

I ask the Minister of Finance: How is this justified?

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

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

As like many boards, agencies and commissions, they're given an allotment based on the funds available to the province. That's the same case with The Rooms Corporation, slightly over \$6 million. They have to fund the operations within that budget.

Thank you very much, Mr. Speaker.

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

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

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

In the report of June 2019, the Citizens' Representative stated: "... Minister Mitchelmore either directly authorized the salary level for Ms. Foote through his signature on the Request for Staffing Action Form, and/or he acquiesced in her receiving that level of pay. Having done so, we find that Minister Mitchelmore grossly violated his obligations as contained in section 8 of the Code of Conduct."

I understand that only the Premier has the authority to remove a minister from their portfolio, so I ask: How can the minister keep his Cabinet minister who grossly violated his obligations?

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

**PREMIER BALL:** You're correct, Mr. Speaker, I say to the Member opposite. Yes, Cabinet Members serve at the prerogative of the Premier. That's been the way it's been in Parliaments, in Legislatures for quite some time.

What I will say, though, is that when people actually move around government, it's typical, and what we've seen historically, if you look and do a review of where people would've been with transfers of people around various agencies and within departments within government, we will see that when they transfer from one department to another, one agency from government and so on, they typically transfer with the salary and with the benefits that are associated with the current position. That's been the way it's been for a number of years and there are lots and lots of examples that would have been out there that allows that to happen.

Mr. Speaker, we are acutely aware of the finances of this province. The Finance Minister here has done a remarkable job in making sure we get the fiscal impact on this province. We always endeavour to do that.

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

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

**MR. P. DINN:** Thank you, Mr. Speaker, and I appreciate the Premier saying how acutely aware he is of our finances.

In his report, the Citizens' Rep stated: "We conclude that Minister Mitchelmore grossly mismanaged his obligations with respect to the Code of Conduct given his involvement in the appointment of Ms. Foote to The Rooms and the setting, or permitting to be set, her salary at \$132,000." Acutely aware of our finances.

Good leadership characteristics: honesty, accountability, integrity and the ability to do the right thing. In this instance – this instance – how can the Premier keep in his Cabinet a minister who grossly mismanaged his obligations?

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

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

**PREMIER BALL:** Mr. Speaker, I'll answer the question simply by saying, one of the things about being acutely aware and being accountable and responsible for the affairs of this province, we do take this very seriously and spend a lot of time doing so. It's one of the reasons why, last week, I spent a considerable amount of time working with other provinces and working with the Prime Minister to actually get this province back in a better fiscal situation.

One of the things about that, Mr. Speaker, I certainly was not shy in calling an inquiry into Muskrat Falls for the same reasons. So when you look at transparency and accountability, Mr. Speaker, that Muskrat Falls inquiry, which came from decisions that would have been made by prior administrations, we accept the responsibility that we have taken on in trying to manage that project as well.

There are two administrations in place here, Mr. Speaker. We will continue to advocate for Newfoundlanders and Labradorians to make sure that we put this province on a good path for the future.

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

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

**MR. CROSBIE:** Mr. Speaker, would the minister, subject of the *Mitchelmore Report*, clarify his answer earlier. Did the Premier's chief of staff or other officials speaking or purporting to speak with the authority of the Premier, give him direction on the hiring?

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

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

As I said previously in the House of Assembly, the Premier did not direct me in this matter. I signed the request for staffing action and my testimony is in the report that is put before the House of Assembly, and the recommendation is a reprimand by the Commissioner for Legislative Standards who is a statutory officer of the House of Assembly.

Thank you.

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

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

**MR. CROSBIE:** With due respect, the minister did not answer the question. Did someone speaking for the Premier or purporting to speak for the Premier give him that direction?

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

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

I encourage the Member to read the report that is put before the House here today.

Thank you.

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

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

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

A woman is going blind because the government won't cover the eye injection she needs to keep her vision. She needs the shot every two weeks, \$1,800 a shot, about \$47,000 a year, which, coincidentally, is the difference between Carla Foote's salary and the salary that The Rooms approved.

When will the Premier stop defending the waste of public money that could be saving a woman's eyesight?

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

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

I have met with various representatives from the Canadian National Institute for the Blind, as well as officials with the Pharmaceutical Services Division in my department and we are working on a proposal with the help of the ophthalmologist in this province. We would

expect something to come from this process imminently, Mr. Speaker. As soon as I get something, I will be happy to inform the House.

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

**MR. SPEAKER:** The hon. the Opposition House Leader, for a quick question.

**MR. BRAZIL:** Minister, insulin pumps – out of \$50,000 coverage is not being covered. That's \$50,000 that is being given to Carla Foote.

When will the Premier stand up and put the money into health programs for people instead of political patronage?

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

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

The insulin pump program is one of the leading programs in the country in actual fact. I was speaking with my colleague in Nova Scotia; they still have an age cap. We had representations from diabetes advocates and in the light of that we have lifted that, Mr. Speaker. People will now no longer age out of the program.

We have revamped the administration behind that program. With the use of centralized purchasing we hope to be able to expand that program further over coming months as the financial situation allows, Mr. Speaker.

Thank you.

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

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

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

The Premier has accepted the Commissioner's findings in the *Mitchelmore Report*. He has also signaled that an apology may be insufficient. The Premier has the power to solve this problem right now by imposing more appropriate punishment, as has been proposed by Opposition Members.

I ask the Premier: Will he finally show some leadership, end this farce and resolve this matter now?

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

**PREMIER BALL:** Mr. Speaker, what I said to the media yesterday was that we're in a debate here in the House of Assembly. What I said it would be premature for me to make any suggestion of where this would be, based on the debate that would occur on the floor of the House of Assembly.

As this debate continues and we get into the final decision-making, we'll see, Mr. Speaker. But it's very clear in the report that the Commissioner for Legislative Standards has recommended a reprimand in this particular case. So what is required here is to actually define what that reprimand would be.

Yes, I've accepted the report, the concurrence of the report. We've accepted that with the recommendation that a reprimand would be something that would be in place. Also, to the point where there would be a review of the HR and moving of officials around government within our province.

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

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

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

On page 10 of the Citizens' Representative report, the deputy minister of Tourism, Culture, Industry and Innovation at the time notes that he was asked by the Cabinet Secretariat to notify people who needed to be notified of Ms. Foote's hiring. As I understand it, the clerk of the Executive Council coordinates operations of the Cabinet Secretariat.

I ask the Premier: Since he has consistently denied any role in his hiring, is he now saying that it was the clerk who made this decision on her own?

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

**PREMIER BALL:** Absolutely, Mr. Speaker. Just like I said, there was no involvement in this and there was no direction. The clerk is always involved when you look at situations like this. As a matter of fact, some of these are – and this has been explained in the briefing that was given there.

Mr. Speaker, that's the process that's been around for decades, and I'm sure people opposite would've been part of this, would understand that. It's not unusual in situations like that for the clerk to be participating in the HR changes that would occur.

Mr. Speaker, that's what's happened. This is a process that's been around for many, many decades. I would encourage people to actually get an understanding – part of that is in the report – of how this process works.

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

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

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

Now for the \$8-billion question, Mr. Speaker. The *Transparency and Accountability Act* requires semi-annual reporting on the economic and fiscal position of the province. This means the fall fiscal update is now two months late. The Auditor General is waiting on his report and his fellow MHAs are waiting on his report.

I ask the Minister of Finance: Will we see the fall fiscal update in this sitting of the House?

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

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

Considering the budget was late this year, Mr. Speaker, we are roughly within the six months. I was absolutely hoping to be able to deliver the fall fiscal update today. I checked with my officials in the department. They tell me they are still working on it. I'm just as disappointed as the Member opposite, as I was hoping to do it today.

Mr. Speaker, as soon as it is ready and the officials have the work complete, we will have the fall fiscal update put before the people of the province.

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

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

**MR. J. DINN:** Mr. Speaker, the Minister of Children, Seniors and Social Development has suggested she sees herself as the self-appointed government co-chair of a body similar to the community-government task force on emergency shelters proposed by the Third Party.

I ask the minister: When can we expect the community co-chair to be appointed, and what is the timeline for this undertaking?

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

**MS. DEMPSTER:** Mr. Speaker, I believe what the hon. Member is referring to is we've been doing some work with our community groups, our non-profits around our shelters and the direction that we're moving in. I'm happy to report to this House that on the 22nd of November I invited all of our partners. We had 100 per cent participation show up and we had good conversation. At that table it was recognized we needed to bring in some other relevant departments like AESL, like Health, Mr. Speaker. It's very complex; it doesn't just rest in one department.

I was happy to sit down this week with two Members from the NDP. I've told them I'm not opposed to having them be a part of this going forward, and we're actively moving on this. The City of St. John's is interested in playing a role. The chair of the Canadian Mental Health Association has reached out. I told him I welcome him at the table as we work together to find solutions to what is a complex issue, Mr. Speaker.

Thank you.

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

**MR. SPEAKER:** The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

### Tabling of Documents

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

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

I'd like to ask leave to table a series of emails I have received concerning the *Mitchelmore Report*. I think these are worthy of documenting and making part of the public record. I would like to ask leave to be able to table these.

**MR. SPEAKER:** Does the Member have leave to present these documents?

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Seeing no objections, I ask the –

**MS. COFFIN:** May I speak to these, Sir?

**MR. SPEAKER:** No, it's just tabling of the documents.

**MS. COFFIN:** Thank you.

**MR. SPEAKER:** Further tabling of documents?

Notices of Motion.

### Notices of Motion

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

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

I rise to give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Medical Care And Hospital Insurance Act, Bill 20.

I further give notice that I will ask leave to introduce a bill entitled, An Act To Amend

Various Acts Of The Province Respecting The Publication Of A Summary Of A Decision Or Order Of An Adjudication Tribunal, Bill 22.

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

The hon. the Minister of Service NL.

**MS. GAMBIN-WALSH:** Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act Respecting The Protection Of The Health Of Persons Exposed To Radiation And Respecting The Safety Of Persons In Connection With The Operation And Use Of The Electrical And Mechanical Components Of Radiation Producing Equipment And Associated Apparatus, Bill 23.

Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Highway Traffic Act, Bill 21.

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

Answers to Questions for which Notice has been Given.

Petitions.

### Petitions

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

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

This petition has been presented a number of times:

WHEREAS many students within our province depend on school busing for transportation to and from school each day; and

WHEREAS there are many parents of school-aged children throughout our province who live inside the eastern school district's 1.6-kilometre zone, therefore do not qualify for busing; and

WHEREAS policy cannot override the safety of our children;

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 eliminate the 1.6-kilometre policy for all elementary schools in the province and in junior and senior high schools where safety is a primary concern.

Mr. Speaker, this has been an ongoing issues, especially up in the Topsail - Paradise District, Conception Bay South, Harbour Main and, of course, in other areas throughout the province where the shoulders of the road are probably the best place for kids to walk to and from school. Not all areas have sidewalks. Not all areas have appropriate snow clearing.

We are now approaching the winter season, or approaching Christmas, kids will be getting out for a break and then going back. The roadways, the walkways will be less than what they are now. Children, in some instances, will be climbing over banks of snow to get to the bus; those who walk to school, who can't get the bus. So it becomes an increasingly unsafe condition for children to and from school.

On behalf of the individuals who have signed this petition, I ask that government look at this policy again, look at the issue around safety to ensure that when the conditions are bad that there are safe ways to get back and forth to school and look at addressing the courtesy busing and the courtesy stops because they are certainly not dealing with the issue.

This issue needs to have a permanent solution where kids and children can get to school safely who are within that 1.6-kilometre zone.

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

**MR. WARR:** Thank you, Mr. Speaker, and I appreciate and thank the hon. Member for his petition.

Mr. Speaker, as I've said many times in the House, this province has one of the best busing policies in the country. Over the past several years, every bus run – 1,100 bus routes within this province have been reviewed and we've added an additional 706 courtesy stops on the 1.6-kilometre zone. The current policy is working.



Again, as I mentioned earlier before, I've had the opportunity to speak with both the Minister of Municipal Affairs and Environment and the Minister of Transportation and Works on some additional initiatives around student safety, and we will continue.

I will say, Mr. Speaker, on behalf of our government, student safety is paramount, and I appreciate the hon. Member in bringing his petition forward.

Thank you.

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

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

**MS. CONWAY OTTENHEIMER:** Thank you, Mr. Speaker.

WHEREAS the District of Harbour Main includes the Conception Bay Highway, Route 60, specifically Conception Harbour; Roaches Line, Route 70; and Hodgewater Line, Route 71. These roads are high-volume roads with significant moose sightings. Travellers require maximum sightlines to limit moose accidents on these important roadways. Immediate and ongoing brush cutting maintenance is required for the safety of the people that use them on a daily basis.

THEREFORE we petition the hon. House of Assembly as follows: We, the undersigned, urge the Government of Newfoundland and Labrador to immediately take the necessary steps of brush cutting on the Conception Bay Highway, specifically Conception Harbour, Roaches Line and Hodgewater Line, to ensure driver safety and improve sightlines for the driving public that these high-volume roadways each day.

Mr. Speaker, I bring this petition on behalf of many concerned citizens and members of the local service districts in these areas, specifically, the Town of Conception Harbour and the local service district of Roaches Line. Since my election some six months ago, I've heard from many people – specifically in Conception Harbour, for example – who have stopped at my constituency office in Holyrood and talked about the serious concerns they have, as well as

members of the local service district in Roaches Line.

As a result of these concerns, I've personally contacted the Transportation and Works depot that is responsible for the area identifying the issue with the brush cutting. I was advised that with respect to this they have limited equipment and that this job of brush clearing was beyond what the depot was capable of doing. They only have a small brush cutter and thus have to contract the work out. These are serious issues here with respect to safety and we ask that this be given appropriate attention before there's a tragedy.

Also, Mr. Speaker, members of our community in Roaches Line and community members and leaders in the local service district have said that the last time the brush was cut in Roaches Line was in the late '80s. This was about 30 years ago. We are long overdue for having this work done.

Their main concern, Mr. Speaker, is that there are so many moose sightings in this area and by having the brush cut back, citizens, they say, as well as those who travel through the community, would have a better chance of being able to avoid a collision. There are many areas throughout the community where the brush is so close to the road that you have to ease your way out in the middle of the intersection before you can even see oncoming traffic. As well, we did have a collision in the Conception Harbour area. We attribute that, or there's strong belief, that was caused because of the inability to have appropriate sightlines by the vehicles.

Mr. Speaker, this is a serious issue that needs to be addressed immediately. I have many people who have signed the petition and we ask that the necessary steps of brush cutting take place.

Thank you, Mr. Speaker.

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

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

I'm going to actually please the Member opposite. That work actually has been added. I can share with you –

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

**MR. CROCKER:** Mr. Speaker, as a department, we do about \$2 million a year of brush cutting. She is correct; most of the time our depots don't actually have the capacity to do heavy brush cutting, and it is something that we contract. But I can certainly share with her the areas that have been added to an existing tender, and if there are other areas of concern we can certainly look at those as well.

Thank you, Mr. Speaker.

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

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

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

The following petition concerns the Ragged Beach moratorium on development.

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

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

**MR. J. DINN:** The reasons for this petition:

Ragged Beach is an uninhabited, dark coast which is important to the sustainability of the Witless Bay Ecological Reserve as it protect fledgling birds from the effects of light pollution.

Ragged Beach is an international tourism destination, a key attraction on the East Coast Trail and brings spinoffs to the Southern Shore.

Current and future development could negatively impact the bird sanctuary, the East Coast Trail and the beach itself.

In 2014, a commissioner recommended that 99 hectares of Crown land along the Ragged Beach be set aside as a Crown reserve, but this has not been done.

The provincial government has a responsibility to protect Ragged Beach as an area of provincial interest.

Therefore, we, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to implement an immediate one-year moratorium on development in the Ragged Beach-Mullowney's Lane area of Witless Bay to assess the significance of this area and develop a plan to protect the dark beach.

The request is reasonable. As early as this morning, the Minister of Municipal Affairs and Environment was sent an email by representatives of those interested in preserving Ragged Beach to request on-site investigation of damage by excavator to public Crown lands in the Ragged Beach area. They have requested that the staff, including environmental assessment and protection division staff, do conduct an immediate on-site visit to determine how the damage can be best remediated, determine whether an offence has been committed and determine what remedies and penalties should be levied for the offence.

So what they're asking for in this petition is something that would render these complaints and emails unnecessary. To take a pause, to look at what needs to be done to protect this area. As we well know, there are a dedicated group of volunteers who yearly – the puffin patrol – ensure that the species is protected. When they come ashore on the roads of Witless Bay where there's an excessive amount of light, they're confused. At least you have a dark beach there, Mr. Speaker, where they're not going to encounter that problem, but if we expand the development it's just going to exacerbate the problem.

What they're asking for is not to stop, but let's pause and take a good look at it. A pretty reasonable request of government.

Thank you.

**MR. SPEAKER:** With a response, the hon. Minister of Municipal Affairs and Environment.

**MR. BRAGG:** Thank you very much, Mr. Speaker, and I thank the Member opposite for the petition. It's a great petition indeed.

The Town of Witless Bay has a town plan in which they have to adhere to. Any time they are going to change their town plan there are always public consultations for that and approval from the minister's office. Any permits required outside of that, especially water resources, would come to our office and we would approve as such.

There was some work that was done out there a couple of weekends ago. We had staff on site; we made sure everything was done within the parameters of that permit. We'll deal with things on a case-by-case basis as they come forward to us.

Mr. Speaker, I can't stress this enough: The town has a town plan. I would encourage everyone to review the town plan and discuss it with the town council.

Thank you very much, Mr. Speaker.

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

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

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

These are the reasons for this petition: Every day emergency medical professionals, emergency medical responders, primary care paramedics and emergency medical dispatchers provide vital medical emergency and transition services to the residents of Newfoundland and Labrador. Their duties are essential for delivery of medical service in all regions of our province, especially at times of serious health crisis when residents need access to immediate medical attention and/or transport to acute care facilities for, often, life-saving medical treatments.

While the importance of these medical professionals cannot be understated, currently in our province they are not automatically deemed as essential services, meaning no provision exists for a continuation of their services if an employee or an employer service disruption occurs. In other Canadian jurisdictions, these

same medical professionals are deemed as essential services in labour relations legislation, ensuring service is never interrupted and residents always have access to emergency road ambulance. In Newfoundland and Labrador this protection does not exist.

Therefore we, the petitioners, petition the House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to immediately start the process for road ambulance health care professionals to be deemed as essential services under labour relations legislation, ensuring no interruption in emergency medical services across our province under any circumstances and that an appropriate arbitration process be introduced that ensures a resolution mechanism formally exists and any interruption in this vital service is avoided.

Mr. Speaker, this is about ensuring that we have available health service, particularly when it's at the emergency level. Nothing more than our first responders, particularly when we're looking at the ambulance services that have to be providing the service for those individuals.

We all know the valued service that firefighters do on a professional level and a paid level, but we also realize the valued service, the immediate impact service that ambulance drivers have and what they do then to ensure the stability of the injured individual. They're stabilizing until they get to one of our primary care facilities for health interventions.

Mr. Speaker, we want to ensure, because it is a labour market – so we have employers that may have issues around funding and services with their employees. We have employees that may have issues around the services, the provided wages and other issues that they may have with their employer. Both have the ability and have a right – under our labour laws they have a right, as it stands right now, to either lock out their employees or a union has a right and the employees have a right to either work-to-rule or go on strike.

As we know, a number of our paramedics and our emergency response professionals are part of a particular union in Newfoundland and Labrador, so they have collective agreements. If

they feel that collective agreement is being violated, they have a right to exercise their rights and privileges. If the employer has that issue with their employees they have a right to stop it.

We ask, Mr. Speaker, that this be taken seriously and that essential services be brought forward for debate in this House.

Thank you, Mr. Speaker.

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

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

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

The Member opposite brings up a very important point. Our paramedics in this province do perform incredibly valued work and valuable work. They actually fall into three broad groups, one of whom are effectively public sector employees within a collective arrangement. My recollection is that there is an essential workers' agreement with that group.

The other two – one is volunteer and they are community groups. The others are employees of private companies, some of which are unionized and some of which are not. Certainly, from my point of view, in our discussions with ambulance operators on a go-forward basis, this is something we would be very concerned about factoring in. I welcome the petition from the Member opposite.

Thank you.

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

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

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

This petition is presented on behalf of the residents of the Town of Swift Current, Black River.

Highway 210 is the main road going through the community of Swift Current. In the town it's

known as Seaview Drive. It's a part of their community.

The Department of Transportation and Works currently are working on a two-year highway project on highway 210 from Garden Cove towards Pipers Hole, which looks like it might be concluded this year.

The current tender for the highway work includes highway 210 only. The side roads of Swift Current are not included.

The side roads in Swift Current are in deplorable condition. The side roads have not been repaved since the initial paving in the early 1970s. The side roads, which were used to divert traffic during the current tender construction contract, are in worse shape now due to the extensive traffic it endured.

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 consider paving/upgrading of the side roads including Darby's Cove, Sharpe's Lane, Maple Crescent, Old Church Road, Academy Hill, Hollett's Point and Shoal Cove Heights in Swift Current to the current existing road upgrade project as an add-on.

I do notice there that on this particular petition, there is somebody that has signed it with the last name Crocker. I wouldn't want anybody to miss out on any invitations for Christmas dinner or anything.

**MS. DEMPSTER:** (Inaudible.)

**MR. DWYER:** Thank you, Minister Dempster.

It's incumbent on us to understand that when we have these towns in our districts that the highway does go through, we have to realize that these are people that are living in a town no different than we live in our own smaller towns. They deserve that respect. To divert traffic onto a side road and then have that become more deplorable and not do anything about it is, kind of – I guess it's incumbent on us to make sure that we're not putting them in a worse situation than what they started with.

Like I said, on the side of the contractor, it's been very professional work. The one thing that I would ask the minister is that we have a look at the grade and class of stone that was put on the actual sidewalk piece of the road as opposed to the side roads themselves, and to make sure that the right grade of ditching is there. We want to make sure that the water runs off correctly, as opposed to building in certain areas of the runoff.

Thank you very much, Mr. Speaker.

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

**Orders of the Day**

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

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

I call from the Order Paper, Order 3, third reading of An Act To Amend The Enforcement Of Canadian Judgments Act, Bill 12.

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

**MS. COADY:** I move, seconded by the Minister of Education and Early Childhood Development, that An Act To Amend The Enforcement Of Canadian Judgments Act, Bill 12, be now read a third time.

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

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

**CLERK (Barnes):** A bill, An Act To Amend The Enforcement Of Canadian Judgments Act. (Bill 12)

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

On motion, a bill, "An Act To Amend The Enforcement Of Canadian Judgments Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 12)

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

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

Order 2, third reading of An Act To Amend The Public Trustee Act, 2009, Bill 11.

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

**MS. COADY:** Mr. Speaker, I move, seconded by the Minister of Children, Seniors and Social Development, that An Act To Amend The Public Trustee Act, 2009, Bill 11, be now read a third time.

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

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

**CLERK:** A bill, An Act To Amend The Public Trustee Act, 2009. (Bill 11)

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

On motion, a bill, "An Act To Amend The Public Trustee Act, 2009," read a third time, ordered passed and its title be as on the Order Paper. (Bill 11)

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

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

From the Order Paper, Motion 2.

Mr. Speaker, I move, seconded by the Minister of Finance and President of Treasury Board, that a bill entitled, An Act To Amend The Cannabis Control Act, Bill 19, be now read a first time.

**MR. SPEAKER:** It is moved and seconded that the hon. the minister shall have leave to introduce a bill entitled, An Act To Amend The Cannabis Control Act, Bill 19, and that this bill be now read a first time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act To Amend The Cannabis Control Act," carried. (Bill 19)

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

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

When shall the said bill be read a second time?

**MS. COADY:** Tomorrow.

**MR. SPEAKER:** Tomorrow.

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

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

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

From the Order Paper, Motion 3.

**MR. SPEAKER:** Motion 3.

The hon. the Member for Cape St. Francis.

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

As most of the people in this House of Assembly know, I usually get up and say what a privilege it is to be here and to represent the people of Cape St. Francis. Today I really don't feel that way because I don't believe that I should be here. I don't feel that we should be debating what this motion is about.

I think we have more important business in the province. I believe that we should be debating what the people in the gallery came here today to listen to about their concerns and about concerns of the residents right across this province. It's very unfortunate that we're here doing it.

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

**MR. K. PARSONS:** But it has to be done. Interesting, in my caucus – which we have a fantastic caucus. I told Members of caucus I've been here I think this is the 24th session now for me sitting in and listening, whether it's the spring or the fall session. Out of all of them I've never experienced anything like I have experienced in this session.

I take great pride in doing my job as an MHA as do nearly every Member in this House of Assembly in representing the constituents that elected me. I don't believe that the constituents of Cape St. Francis want me in the House of Assembly debating the conduct of Members, they want me to be debating things that are important to them and unfortunately we're here.

I know the newer Members of this House of Assembly – this is not the norm. This is definitely not the norm. This whole sitting has been unbelievable. It's been hard on Members and it's been hard on families, too, because you talk about people's personal lives.

I listened to Paddy Daly coming in one morning and he talked about the craziness of the House of

Assembly. He gave names, he said the Dinn-Byrne thing, the Lester-Byrne thing, he said the Parsons-Osborne thing and he put my name to it. I said that's unfair because I had nothing to do with it and I said things were handled differently.

I have to stand up in this House of Assembly today and recognize the Minister of Finance. He had the decency to apologize.

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

**MR. K. PARSONS:** Mr. Speaker, not only did he apologize, I was driving home and I received a phone call. The question he asked me, he said: Are we still friends? I can assure the Minister of Finance we are still friends.

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

**MR. K. PARSONS:** We're here now all this week debating the conduct of a minister. We spent two days debating the conduct of another minister. I don't know if that minister called the two people that he was involved with and apologized or wondered what it was, but it's time for us to stand up and make sure we realize what we're doing here.

We're here to represent our people. We're here to make sure that the lives of Newfoundlanders and Labradorians gets better. That's the reason we come to the House of Assembly. That's the reason we knock on doors. That's the reason we go around and tell people: I'm there to listen to your concerns.

I'm after having four elections and it's a great feeling when you knock on a door and someone says: b'y, thank you for what you did for aunt so-and-so, or that was good that you did this for that person. That's what we're here for. There are going to be roads built, there are going to be hospitals built, but the individuals that we can help is what we should be here for – the little things. I always say the little things to some people, to us, are huge for other people.

I watched the Minister of Health here answer questions. We asked him about cataracts and surgery and stuff like that. He made an announcement last week about we're soon going to get it and we're going to be able to do it in

private clinics. I have an elderly gentleman in my district who can't drive anymore because he needs cataract surgery. His wife is in a home. He feels very uncomfortable asking every day for someone to drive him back and forth. He says I have to wait two years for this surgery.

We need to be here discussing that in the House of Assembly to make sure that we can get more surgeries for people like that man. That's what we should be here for. Now, unfortunately, we're here for what we are and that's what I need to talk about today.

I'm not a social media person but I do look at comments, especially when you're in times like this. When I hear comments of a gong show and what those politicians are like, I'm tired with that brush. Do you know what? I can assure you that everyone who put their names – especially the new people, we're tired with that brush, but that's not who we are.

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

**MR. K. PARSONS:** That's not just on this side of the House, that's on that side of the House, too. There are good people over on that side of the House and good ministers and I have no problem. Really, I try to gain respect from everybody in this House because I want the same respect back that I give to you; I think you're going to give it back to me. That's what we're here for.

This is an unfortunate – not unfortunate, it's something that shouldn't happen. I'm not going to get right into what everybody else had to say here, but I'm not going to get into the right thing and the wrong thing. The Minister of Finance did the right thing. He apologized; he called me, got it over with. And, listen, you know what? It was a slip of the tongue. It wasn't the point that I was (inaudible), but it was the point that it was personal. That's all it was. I assure you, that minister never meant one thing with it. But that's an apology. What's after happening in this situation, I think more than an apology is required.

There were two investigations done. It was done, and Officers of the House concluded that this was gross mismanagement. Now, whether a slip

of the tongue or gross mismanagement, I think they're two different things. I really believe it.

The minister in question, I can say, and the Premier – I listened to the Premier's speech, and he said about what a good minister he is and how good he is with his constituency. I don't doubt that. I don't doubt that one bit at all. He got re-elected; obviously, the constituents in his area thought he was doing a good job so they re-elected him. No problem at all.

I'll always go back to my – the wisest man I ever met in my life was my father. He used to say to me all the time, he'd say: Tell the truth. Always tell the truth. You'll never go wrong by telling the truth. That's part of what this is all about, what we're looking for here. We're looking for the truth. We stood for four days now and asked questions, without any answers.

The same questions that were asked on Monday were asked again today. People of the province want answers. Listen, I don't want to see the hon. minister – I'm not out to get his jugular; I'm not out to get him or anything like that. I'm just out to say, listen, sometimes we make mistakes, but we have to own up to those mistakes. That's what this is about.

Listen, that minister came down in my district. A good minister. We had an issue in Bauline with cellular service, and the minister came down. I had the Town of Bauline come in and meet with him. Then, within a couple of weeks, he said: I have a way to get that done. He came down and we met with the Town of Bauline and, in a couple of months, had an announcement in the Town of Bauline: they're getting cellular service. I'm not questioning whether he's a good minister.

The Premier got up the other night – I wasn't here but I listened to it afterwards – and talked about what a good minister he was and we can't do that to a good minister. I can assure you there are a lot of good ministers. There are three good ministers that are not in Cabinet anymore. They were good ministers.

I had the former minister of Education – when we built a new school down in Torbay, I had a lot of questions. He called me up and said if you have a lot of questions, I'm coming down to

have a look at the school, why don't you come with me. I went down with him and he was a good minister. That's it. We'd never have a water system in the Town of Pouch Cove if it wasn't for the former minister of Municipal Affairs because he found a way to do it – a good minister.

The Member for Lake Melville – I'll always remember it. I remember the night the breaking news came on about what he had done. It was wrong. I remember looking at him on CBC. Before the interview they showed a clip and he was sat in the chair all by himself. Do you know what? I felt so bad for that minister then. I said I wouldn't want to be going through that. He made a mistake and he owned up to his mistake. Good for him.

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

**MR. K. PARSONS:** Mr. Speaker, we'll all make mistakes in life. There's nobody in here that's perfect, but sometimes you make a mistake and you have to pay the price. I'm not in here today to attack anybody. I respect everybody on the other side. I respect everybody that puts their name on a ballot, because I'm telling you right now – someone says to me all the time, how do you do it? How do you be a politician? How do you do that? They don't understand that there are times you can do little tiny things that can make a difference in people's lives. I don't know about the rest of you, but when it does happen, I feel really good. It's satisfaction.

Sometimes we'll look at Muskrat Falls – I was here when Muskrat Falls was debated. So was the Minister of Finance, so was the Member for Mount Pearl - Southlands and so were a couple of my colleagues. I'm not saying anything; I voted for Muskrat Falls on the information I was given. I honestly can tell the people of the province and tell the people of this House, I didn't vote for it because I said, no, let's do Muskrat Falls, I don't care about anything else. I did it because I thought it was the right thing to do.

If any vote comes to this House again and I believe it's the right thing to do, I will do it again, but I can only do it based on the information people give me. I'm not an



engineer, but I have to be able to stand up in this House of Assembly and represent my people, and that's what I'm doing.

Mr. Speaker, we're here today and we're discussing this. I look at many different things in what we should be discussing.

I listened to the Member for Torngat Mountains yesterday. She talked about a CBC report – and I watched the same report – where an elderly lady talked about her friend over in the Health Sciences on a gurney for two days. What's more important? Is it more important that we discuss what we're discussing here today, or is it more important that we make sure that that lady gets proper health care?

I think it's more important we address the needs of the people of the province, but we have to do this. I don't think we should be four days at it. I think the minister or the Premier of this province should have had this ironed out long before now.

I look at people in the gallery here today, they're not here to listen to this. They're here because they have a cause and we should be talking about their cause.

If you talk to people in the Province of Newfoundland and Labrador, and not only people on fixed incomes or not only seniors, everybody is concerned about electrical rates. I'd like to be here discussing what we're going to do about the electrical rates. I don't want to see rates double. I'd rather be discussing that today and finding out a solution that we can all come together and say: listen, we got a solution found, let's do it.

If it's getting money out of the federal government and the Premier and Cabinet ministers have to go to the federal government and get a deal, I hope you get a deal. I hope for the people of the province electrical rates don't go up. If you get a deal, God love you, great. Because that's what the people of the province want to see from their elected officials.

Our financial situation – again, Mr. Speaker, we are here and sometimes we throw it back and forth, it's their fault; no, it's your fault; it's their fault. I don't care whose fault it is. We have a problem in this province when we have people

who don't have proper housing, people don't have proper care, whether it's dental care, whether it's eye care or whatever it is. Those are the things we should be discussing here across the floor. Those are the things we should be working on.

Again, I go back to the point that this could have been done a lot quicker than it was done. This could have been finalized if people had to stand up and say: listen, I did wrong, and what I did wrong I know that I have to do what I got to do. I honestly believe when something comes out as blatant as this and when you get Officers of this House say, completely mismanagement, an apology is not good enough.

I'm not a social media person. I follow Facebook a little bit. I look at pictures of this one, pictures of that one. I like someone when it's their birthday or whatever it is, but you'll never see me on it very much because I just do that. That's who I am, but I'm watching social media these days. I was up in my office today and I looked at some of the comments. The people of the province, that's what they want us to do.

Again, we've spent two days here with a minister and he withdrew statements. That's all he did, after two days in this House of Assembly. Then, the next argument was: it's their fault; it's our fault; it's their fault.

When a person calls another person a criminal, another person a racist, is that what we want to hear in the House of Assembly? No. Is that what the people of Newfoundland and Labrador want to see us in debating? No.

I just think there comes a time when people have to stand up and say, listen, a mistake was made on this. This is something that should never happen and let's make sure that it doesn't happen again, and do the right thing – do the right thing. That's all.

When people make a mistake and it's a slip of the tongue, no problem at all. An apology is good enough. I have no problem with an apology. Again, we've seen in this sitting of the House of Assembly – it's really hard to justify to the public what we're doing. I don't want to be tarred with the brush that we're in here arguing

over this stuff all the time. I do not want that. I want to be showing that I'm in here representing the people that elected me.

I was down to St. Clare's yesterday and I was sitting down having a plate of fries – shouldn't have a plate of fries mind you, but I was having a plate of fries – and this lady came over and she said to me: That's shocking what's happening in the House of Assembly. That's shocking what that minister said to you. I just looked at her and I said: Yes, but that was only a slip of the tongue. I said: I'll tell you something now, that minister apologized. He called me afterwards and wanted to know if we're good friends. I said: I'll tell you what, we're still good friends.

But the general public doesn't see that. They don't see it. They don't realize – I hope people are listening to this today – that everyone over on that other side I can call friends. I can call colleagues. I hope I can go to them. I've gone to other ministers. I've gone to the Minister of Health several times and every time I've gone to him he's accommodated me and said: Kevin, let me see if I can do what (inaudible).

I had the Minister of Education come down to my district – busing issue – and met with parents down on the road 8 o'clock in the morning.

People out there have to see this. This is not what the House of Assembly is about, what we're doing here. For the new Members, this is not what it's all about. I feel bad for you because this is really your first full sitting in the House of Assembly, and to see what's after happening in this sitting, it's unbelievable.

It's – I hate to say the word – embarrassing, but it is. It is, that we're here – and like I said, Paddy Daly on *Open Line* one morning said how crazy we were as Members. That's not what I want to hear. That's not what I want to hear the constituents in Cape St. Francis hear about Kevin Parsons. I want the people in Cape St. Francis to say that Kevin Parsons worked hard, he did his job in the House of Assembly and when we need him, he's there for us. That's what every Member in this House of Assembly wants. We want to represent our constituents.

So all I'm calling on today, and all I want to see here today – we'll probably finish this debate

today or Monday. I don't care, whenever. I'll stay here until Christmas Eve; it doesn't make any difference. We'll finish this debate, and the debate should be about what happened.

There was a job that 77 people applied for. It was cut down to three people. One person was given the job for two days. Then all of a sudden, that job was taken away from that person, was taken away and – whoever gave the direction – was given to – and let me tell you something, Mr. Speaker, I do not know Carla Foote. I feel bad for that lady, because I'm not sure if she has children or if she has loved ones, friends and stuff like that, but her name, her picture is all over the news, everywhere else.

I don't know that lady. I don't want to be here discussing what happened with her. I don't know her. I'm not a person that wants to get into anyone's personal lives. She has children. I have children. We all have family. We don't want to hear that. I don't want to see that. I don't know what the lady is thinking about what's on the go here in the House of Assembly, but that's not what this is about; it's about doing things and making sure in the future that we do the proper thing. That we, as elected officials, understand that the public is not going to put up with what happened in the past. What happened in the past, happened in the past; this is the future.

Just look at what's happening in society today when we talk about hockey coaches. I played 18 years of senior hockey and I wasn't a very nice guy. I was rough and tumble, but do you know what? I left it all on the ice. But I had coaches that were true gentlemen. I never had the opportunity to play with any coach that wasn't a good guy. I hear what's happening to young Druken, and stuff like this. Society has changed.

People want everybody in society to do the right thing. I want this House of Assembly to do the right thing. If the Premier is not going to take him out of Cabinet, then the minister should resign. That's what I want and that's what the people of the province want.

Thank you very much.

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

**MR. SPEAKER:** Before I recognize the Minister of Finance, I just want to remind Members that we – I noticed some Members are wearing buttons today that promote a cause. I just want to remind Members that on June 14, 2012, we had a ruling that buttons promoting a cause or conveying a message were not in order. I just want to make Members aware of that.

I should have made you aware of it earlier. I saw some people wearing things, but I wasn't sure what the message was on it. My eyesight is not what it used to be. I couldn't see what it was.

I just wanted to make Members aware of that ruling so we can all abide. Sometimes we wear ribbons or pins that don't convey a message, but support a cause. That is permitted in the House, but when you have a button that promotes a cause and has a message written on it, that's the ruling that we have against that. I just wanted to make Members aware of that.

The Minister of Finance and President of Treasury Board.

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

Like the Member who spoke just before me, this is not an easy topic to talk about in this Legislature. Mr. Speaker, I'll speak briefly about the incident that happened between he and I last week.

Anybody in this Legislature or anybody in the province who knows me knows that I'm not mean spirited. It was a slip of the tongue and I was mortified. Not because of the criticism, Mr. Speaker, because when you say something wrong you deserve to be criticized, but because we've served in this Legislature, on the same side at one point, and (a) I felt I offended a friend, which I didn't intend to do; and (b) I was mortified because those words rolled off my lips. I've long advocated in this Legislature for respect and civility and that's part of the reputation that I have out in the general public.

I have children. I want them to be able to go to school and feel that their dad is respected. I've always carried myself in this Legislature – don't often get heckled, I believe, because I'm not mean spirited; you make your point, you don't always agree, but still to this day, Mr. Speaker,

those words I spoke, I'm mortified by because I just didn't feel right as they came out. I apologized. The Member said that I did call him on his way home from work, because, first and foremost, we are friends, so I had to make sure that I called him.

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

**MR. OSBORNE:** Mr. Speaker, in talking about being mortified, one of the worst feelings for somebody who has enough self-respect in the Legislature and values that respect in the general public, is to be called by the Speaker or to be called by another Member for doing something wrong.

I'm going to get into the issue at hand, Mr. Speaker, and I am going to talk about the past a little bit. It's not to identify anybody, or to name anybody, or to say that what happened in this particular case should be forgiven because it was done in the past, but we have to learn from the past in order to correct the future in part.

This minister under question in the Legislature today has been called by the House. I'm not saying that the embarrassment that that individual is facing, not only in this Legislature, but in the province and in the media is enough, we have to change the process. I think everybody recognizes that. We have to change how this is done.

Mr. Speaker, I'm going to go, probably, in two or three directions on the statements that I'm going to make today. One is that fact that he's faced a considerable amount of embarrassment. Other Members across this House has said, yes, he is a good minister, that's got nothing to do with it. He has to be punished.

Mr. Speaker, (a) I think he's been shamed, and I think that's important to recognize; (b) because this Legislature is going through a transformation, we have the Independent Appointments Commission and the Public Service Commission, where, in the past four years, we've had over 600 merit-based appointments. Not chosen by the politicians, but the recommendations that were made by the IAC are based on merit. In the previous four years to us forming government, those appointments would have been politically motivated. I know

of one department, literally, the day before the writ was dropped in 2015, one minister in one department signed off on 44 appointments.

Now, that doesn't make this right and I'm not making that argument. That had to change, and that has changed with the new merit-based process that is in place today. Unfortunately, the general public don't realize that there are over 600 appointments that have been made through the merit-based process because we're caught up in talking about a political appointment or a political decision. Our agencies, boards and commissions, there has been over 600.

This particular position was a position that wasn't included in the IAC or Public Service Commission process, nor was it supposed to. That's why I say maybe that has to change and we have to look at how these positions are chosen, so that we can clean it up as we did with the IAC process and the Public Service Commission process.

Mr. Speaker, I'm in this Legislature now going on 24 years. In two or three months, I'll be celebrating my 24th anniversary in this Legislature. I have seen many, many, many appointments that were politically motivated not so long ago. In fact, at Newfoundland and Labrador Housing an individual who was there was brought back to run a political campaign and then appointed again and then brought back to run a political campaign and appointed again. That was accepted at the time because whether it was right or wrong, it was expected. It was part of the process; it was part of the way things were done. That's the only example I'm going to point out because this is not about identifying anybody who was appointed or identifying anybody who's made the appointment, it's just to clearly identify the fact that these appointments were made.

Now that we're going through a transition and the general public expect more, expect better of how these appointments are made, the spotlight has been put on one individual. The spotlight has been put on that individual, Mr. Speaker, because that individual made an appointment that became very political – or very public I should say – and in part maybe because the individual had a political connection. The reason

I reference the Housing example is because that had a political connection as well.

I agree we need to make things better. The Premier has announced the process and that shouldn't be criticized. I know it was criticized on the Legislature floor here, but it's identified that there needs to be a new process in this report, Mr. Speaker. That's the reason. It wasn't to throw people off what was happening. It was because it was identified in the report. The Premier acted swiftly in following what was identified in the report to create a different process.

I think we're happy to do that, just as we did with the IAC process and what we did with the Public Service Commission in ensuring that these are merit-based appointments. That's what the general public wants. They want a cleaner process.

One of the reasons I mentioned earlier that I was mortified, Mr. Speaker, is because I have, for many years, called for greater respect and great civility in this Legislature. I've been one of the champions of that. If we are going to demand the respect of the general public, we have to deserve the respect of the general public, which is why that process has to change as well. So we are going to change it.

When I sat in the Speaker's chair and we made a decision on a ruling in the Legislature, sometimes we all know in the Legislature when the Speaker and the Deputy Speaker and the Deputy Chair of Committees go out to look at what the decision is going to be made, we look at precedent that has been set in other jurisdictions and, oftentimes, other jurisdictions are called to find out what the precedent is. Because when you make a decision from the Chair of this Legislature, it is precedent-setting. Anywhere in the British Commonwealth under the Commonwealth legislatures, the British parliamentary system, any decision that's made from the Chair sets a precedent.

I think what we're doing here today sets a precedent, because never before in the British parliamentary system has a Member been made to pay financially, Mr. Speaker. Members have been asked to apologize. Again, I point out that the Member has been called before the public of

the province, called before the media, has been criticized and, obviously, feels that; but we have to make a decision here, knowing that this has a domino effect. That a decision we make on a point of privilege or on something that comes from the Commissioner of Members' interests – now, that's not to say we need to do something because we do, but I think we need to think very carefully about what it is we do, Mr. Speaker, on this decision.

I want to talk about that for a moment because, in this, the Commissioner of Members' interests identifies that further scrutiny and review from his office is to undertake what is appropriate, corrective action and what is necessary. He goes on to say that: "The Citizens' Representative had the statutory jurisdiction under Part VI of the Act to make the above noted findings and conclusions." It is not his role to revisit those findings "but rather to determine what appropriate corrective action should be recommended in the circumstances."

So it's important because this report, Mr. Speaker, has been quoted and pieces pulled out of it. So I think it's important to really consider what we're doing here today.

The report goes on to say: "It is noteworthy that the Speaker of the House of Assembly also forwarded the Citizens' Representative report to the Clerk of the Executive Council. If changes or clarifications to human resource policies are required as a result of this matter, the task of recommending that corrective action is best completed by the Clerk of the Executive Council who can work with appropriate government departments."

I know the Premier consulted with the clerk in looking to do a review of how these appointments are made. So, in part, that is corrective action and we will get a cleaner process similar to the Public Service Commission, similar to the Independent Appointments Commission.

Now, how do we deal with the individual? Mr. Speaker: "In providing the Citizens' Representative reports to" the Commissioner for Members' interests, he identifies that his "duty is to decide what ... corrective action is necessary given the findings of the Citizens'

Representative with respect to Code of Conduct violations."

With respect to the Code of Conduct violations, there are four very distinct actions that can be taken. I'm going to read those out for the purpose of people that are in the gallery, for the purpose of anybody who may be watching this. Because all Members of the Legislature know what those four actions are.

It's under section 39 of the act, and it reads: "Where the commissioner determines that a member has failed to fulfill an obligation under the code of conduct, he or she may recommend in the report under section 38 (a) that the member be reprimanded; (b) that the member make restitution or pay compensation; (c) that the member be suspended from the House of Assembly, with or without pay, for a period specified in the report; or (d) that the member's seat be declared vacant."

The Commissioner for Members' interests has these four items and will make a recommendation to the House of Assembly and to Members of the House of Assembly to carry out one of these or multiple of these items identified.

So, Mr. Speaker, if we are going to follow what the Commissioner for Members' interests has identified, one of these four items – he goes on to say that: "There have been differing opinions from the Clerk of the Executive Council, the Citizens Representative and legal counsel for" the minister involved as to the nature of the appointment of the individual involved – and I'm not going to say her name because her name has been bandied around here and this, obviously, has to be very stressful for her and her family as well.

"Accordingly, the mitigating factor in determining the appropriate penalty is that there are a number of differing opinions as to what was the proper procedure." It goes further, Mr. Speaker, to say: "Therefore, it is my opinion" – the opinion of the Commissioner for Members' interests – that the minister involved "should be reprimanded in accordance with s.39(a) of the Act."

That's why I say, Mr. Speaker, that what we do here is precedent setting. He's made a recommendation. The recommendation was section 39(a), that the Member be reprimanded. The recommendation wasn't that the Member pay restitution or compensation, it wasn't that he be suspended from the House with or without pay and it wasn't that his seat be vacated, it was that he be reprimanded. If we are to go further than that, what we've been instructed to do and as Members of the Legislature, it is our duty to reprimand the Member involved.

He is a colleague. I will say he is a good minister. Members on the other side have identified that. Members on this side have identified that. He has followed the same procedure that was followed for years in making appointments by ministers.

Not to say that it's right, not to justify it, but that procedure needs to change and the Member needs to be reprimanded. There is absolutely no doubt about that. Mr. Speaker, (a) the Member has obviously been shamed, his name has been bandied around for days in the general public; and (b) the procedure that has been followed for years in making these appointments is going to change. We are fixing the problem.

There are Members in this Legislature on both sides, that have made similar appointments – current sitting Members. We need to change the process, absolutely. We need to reprimand the individual, absolutely, but I would ask all Members of this Legislature to exercise caution in what that is. It is very unfortunate that Member had the spotlight put on him for a practice that was accepted politically in this Legislature, accepted within the public service and accepted publicly for decades. No longer acceptable, I agree. It needs to change, but that individual had the spotlight put on him, Mr. Speaker. Let's be very careful in how we resolve the issue.

Thank you, Mr. Speaker.

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

**MR. SPEAKER (Lane):** The Speaker recognizes the Member for Stephenville - Port au Port.

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

There are many of us who are, as you have alluded to earlier, new Members in the House of Assembly. We were elected to represent the interests of the people in our districts and the people of the province.

I have always said what's good for the people of the District of Stephenville - Port au Port is good for the province and what's good for the province is good for the District of Stephenville - Port au Port. The past few weeks we have found ourselves spending more time dealing with behavioural issues instead of district and provincials issues. We have seen the resignation of one minister, the apologies of two others and now a minister who has been found of not only breaching his Code of Conduct, but grossly mismanaging his obligations under that Code.

At the same time as I'm standing here today debating this motion, there are people in our province who are wondering where their next meal will come from. There are people in our province making the decision of whether or not they can afford to continue to live in this province and there are people in neighbourhoods wondering if their schools are about to close. The Premier could have dealt with this report and ended this by accepting the minister's resignation, as the people of this province are demanding. Or if the minister has not offered his resignation, then he should have asked for it.

Mr. Speaker, this government came to power on the promise of removing patronage out of appointments. Let me read you some quotes. These are from the Premier's own words: "This is why we made the commitment and our government will change what has become a very tired practice of placing politics before qualifications. In the past, what we've had is a process that allowed for entitlements. It allowed for people to actually do favours for their friends, do favours, in some cases, for their family members."

Another quote: The objective here is to help us so that we can put the best people in place, "so Cabinet Members, like we've seen in the past, cannot go out and tap on the shoulders of their friends, call up their buddies, call up their family members, in some cases, and say, come on, I've

got a little job here, you're entitled to it because you helped on my campaign, or you've done this here, or you've done something for us so it's now my time to give back to you. This selection process here takes all of that out of the way."

Another quote: "We have now taken steps to take the politics out of political appointments. It is fair. It is a measured process, one that will provide this. It will provide greater consistency, greater transparency, improve organizational performance. You will have better people who are more experienced, merit based and the technical expertise to make the decisions that are so important to Newfoundlanders and Labradorians."

Mr. Speaker, those are the words of the Premier. The people of the province expected the same thing to happen. I was surprised and disappointed yesterday when the minister or the Premier was asked a question by my colleague in relation to this same speech and his answer to the question was this – in *Hansard* he simply said: "Mr. Speaker, once again we're getting politics mixed up with some of the decisions that are being" made. "What the Member is referring to there is IAC, the Independent Appointments Commission, and these are about Tier 1 and Tier 2 appointments."

Mr. Speaker, I can only take from that, that in fact there is a two-tiered system that the Premier has and that the people who work in the public service of this province do not get the same treatment and the same respect. As a matter of fact, the legacy they have given the public service has been the complete opposite. Under the leadership of this Premier and his government, we have seen more patronage appointments of prominent Liberals into jobs whether they have the qualifications or not. What seems to matter is their connection to the Liberal Party.

The appointment of Ms. Foote, also an individual with strong ties to the Liberal Party; the one example where an independent body completed a review of a patronage appointment and concluded gross mismanagement and interference by this minister. Basically, they got caught and now the Premier refuses to take action to ensure the integrity of his Cabinet and

fire this minister from his Cabinet. Others have been removed for less.

If two independent Officers of the House were not enough to conclude that the minister abused his position, the Premier now thinks it is necessary to spend more taxpayer money to do further review. The Citizens' Representative knows what happened here. We all know what happened here. The minister blatantly abused his powers and forced The Rooms to hire Ms. Foote.

We're here in this House debating not what the minister did but what corrective actions need to be taken. Why do we need another review? If he did nothing wrong, we would not be here. He failed as a minister. He failed to uphold the core values of the public service and that is what I am here to talk about, the public service of this province. Values that every day the hard-working public service strive to uphold, but clearly this minister and this government chose to ignore in the interest of ensuring their friends get the jobs.

The core values of fairness where all employees conduct their work objectively and free from influence and bias and are supportive of the diversity of our clients. Respect; where all employees treat clients in a just manner and accept responsibility for their work obligations and contributions. Professionalism; where all employees strive towards service excellence and continuing professional development, utilizing their unique competencies to advance the vision of the organization.

This report confirms that we all know has been going on in the public service since this government came to power. There has been a revolving door of highly competent professional public servants being pushed out. As a matter of fact, there were 15 assistant deputy ministers who were given their notice on the one day alone. These actions have cost the taxpayers of this province hundreds of thousands of dollars, if not millions.

These people were not let go because they were incompetent. They were not let go because they weren't doing a good job. These were career public servants who had worked for Liberal governments in the past, who had worked for PC

governments in the past, but were simply let go because this government wanted to hire someone else. This is exactly what happened at The Rooms. The Citizens' Representative found this to be the case, the Commissioner for Legislative Standards agreed, yet the Premier fails to take action.

Mr. Speaker, we just saw it at The Rooms, but there have been other cases. For example, the former vice-president of the Newfoundland and Labrador Liberal Party and co-chair of the party's successful 2015 election campaign has landed a senior position with the Department of Health and Community Services in May of 2017. This individual was appointed as the director of Pharmaceutical Services, a position that comes with an annual salary of about \$90,000 and was appointed to the post without any competition and after they fired, without cause, the former director of Pharmaceutical Services. How is that even possible in a public service?

There is a long list, Mr. Speaker, not enough time to go through them all here. The biggest failure of this government and this Premier is what he has done to erode the professionalism and the independence of the public service.

The clerk of the Executive Council is this province's top public servant, which is supposed to be a non-partisan position with significant responsibility to uphold the integrity of the public service. The clerk's submission to the Citizens' Representative defends the gross mismanagement of the minister. The Citizens' Representative disagreed with the clerk and, in commenting, even said he was perplexed. Obviously, the clerk of the Executive Council's ability to be non-partisan has been compromised. What a message to send to the hard-working public service.

To be clear, we are not dismissing the role of the clerk of the Executive Council. We are questioning her role in this review and the fact that the Citizens' Representative considered her submission but did not change his conclusion of the minister's gross mismanagement.

The Citizens' Representative concluded that the employment of Carla Foote at The Rooms did not comply with the *Public Service Commission*

*Act*. The legislation charges the commission with responsibility to protect the merit principle. Its main purpose is to ensure fairness in the hiring process. The minister grossly violated the principles of hiring within the public service.

Fairness means decisions are made objectively, free from bias, patronage or nepotism. How could this province's public service have confidence that the hiring process will be conducted free from political interference? This is what I feel is the biggest failure here, the failure of this government to promise one thing and deliver a completely different outcome. This, in fact, is the definition of a hypocrite – preaches one thing and does another. The public service is not better off because of this government's actions to remove patronage. The public service is not better off because of the actions of this minister. He failed the public servants at The Rooms and this government failed all public servants across the province. The minister did wrong, but I believe it is the Premier that should be apologizing for his lack of leadership in dealing with this gross mismanagement that has undermined the entire public service.

Mr. Speaker, I say to the Premier: You can end this now. Do the honourable thing and accept the resignation of your minister, and if he has not offered it, ask for it.

Thank you.

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

**MR. SPEAKER:** The Speaker recognizes the hon. the Member for Harbour Main.

**MS. CONWAY OTTENHEIMER:** Thank you, Mr. Speaker.

Mr. Speaker, I cannot acknowledge and accept what the Minister of Health and Community Services said in this hon. House of Assembly yesterday. I have reviewed *Hansard* very carefully to ensure my accurate reporting of his words and to ensure that it is not taken out of context.

He claims today that his words were phrased in the context of health care. However, Mr. Speaker, I would argue that it is clear and



evident in his comments and unequivocal they are in their intent. Please allow me to repeat them.

There are words spoken by the Minister of Health and Community Services: “There was a reference to mistakes being made. What I would argue, however, is there may be some errors of process but what if the actual mistake we’re really referencing is a systematic, long-standing, cross-party government practice that we have now been forced to recognize was never designed as a system. This system is not unique to this government, it is not unique to this department. It has existed for decades.

“I can go back to my own department ....” He then talks about lateral transfers, and what is very key here, Mr. Speaker, are the concluding words of the Minister of Health and Community Services are the following: I “support the contention that it is unreasonable to unduly victimize one individual for a mistake that is embedded in the system.”

Let me repeat it: I “support the contention that it is unreasonable to unduly victimize one individual for a mistake that is embedded in the system.” Those are the words of the Minister of Health and Community Services.

Mr. Speaker, those are the facts. That is the evidence. I ask the people of the province to evaluate for yourself these statements made by a senior minister of this government. Ask some of these questions: Do you believe this is what is the central issue here? Does this have an air of reality, based on what you’ve heard and what you’ve seen over the last few days? Do you believe that Minister Mitchelmore is being unduly victimized by a mistake that’s embedded in the system? Do you believe that this is about a mistake that is embedded in the system, that it’s a flaw in the system, rather than a misuse of public power, an abuse of authority?

Mr. Speaker, I look at this and I review this, I think very, very hard about this and it is very troubling. The minister is not acknowledging the contents of this independent report. I would argue this is clearly a flat-out denial of responsibility by a senior minister in the Cabinet of this government. Sadly, it appears that he is

keeping in line and following the Premier’s lead, which is comprised of denial of responsibility.

Mr. Speaker, the leader, the Premier, who throughout these past few days, in his messaging to all of us in the hon. House of Assembly and to the people of this province, consists of deflecting responsibility, ignoring the facts, turning a blind eye to the wrongdoing that is clear and based on uncontradicted evidence as we’ve seen by the report – a blind eye to the inherent breach and violation of ethics by Minister Mitchelmore.

Mr. Speaker, the facts are in the report. We only have to read this report. The facts here are black and white. I’ll refer to just a few of those facts, and we will let the people decide.

In the report, the Citizens’ Representative stated, on pages 29 and 30: “We conclude that Minister Mitchelmore’s actions in intervening to facilitate the hire of Ms. Foote at The Rooms not only breached his Code of Conduct, but grossly mismanaged his obligations under that Code.” And this is a Code of Conduct. We all have to adhere to it. It’s about professional ethics. It’s about ethics within the House of Assembly.

We also see in the report, on page 30: “The fundamental objective of his holding ... office is to serve his fellow citizens with integrity in order to improve the economic and social conditions of the people of the Province.” We’ve heard from others about this – my colleagues. What about that job? What about that job of improving the economic and social conditions of the people of the province? We have not been able to give proper attention to this because of this scandal that’s occurred.

When we look at this, Mr. Speaker, we have had no choice but to discuss this and debate this, and why is that? Because when we’re talking about misuse of public power by elected officials who are put in here by their constituents, by the people, this threatens so many things, Mr. Speaker, in our society, what we see here. It threatens ethical values. It threatens justice. It, in fact, destabilizes our society and it endangers the rule of law. Hence, it is important that we give this its due recognition in terms of addressing it.

Mr. Speaker, I would argue this is not about what we would have senior ministers say, that it's an error of process. That's not what we're talking about. This is about a breach of ethics. It's about misuse of power and authority, perhaps even akin to corruption. When we look at what corruption is, in essence, that's a misuse of public power by elected politicians that are elected to represent us.

Mr. Speaker, it is of grave concern to myself and many of us, especially the newly elected Members in the House of Assembly. We cannot believe what we're hearing and what we have seen in this session and especially with respect to what has occurred in terms of the hiring of a person.

Again, I look at the individual, how the individual who had that job was personally impacted. How can that be justified? How can you put an individual, someone in a job for two days and later give it to somebody else and say, no? What do you say? What do you say to that person? How do you honestly justify that action? Sorry, we made a mistake, we have someone else.

Mr. Speaker, as my colleague from Torngat Mountains said yesterday, we, especially the newly elected Members of the House of Assembly, won't be a part of this. We cannot condone this. We have to stress that things have to be changed. We have to have a different culture here.

When we look at this policy we just passed last week with respect to the harassment policy, well harassment within the definition, the first thing that's stated in that definition, it includes abuse of authority, and here we are.

Mr. Speaker, these are not happy times. These are sad times. These are sad times for all of us and mostly for the people of the province who need to have elected representatives who are working on their behalf, but are doing the work ethically.

We know that according to the Citizens' Rep, Minister Mitchelmore grossly mismanaged his obligations with respect to the Code of Conduct, with respect to his professional ethics given his involvement in the appointment of Ms. Foote to

The Rooms, and I might add, the setting, or permitting to be set, her salary almost \$50,000 above what it originally was.

We cannot stand for this kind of conduct. We have to take a stand. Mr. Speaker, that stand will not be addressed by a reprimand or an apology. It is incumbent upon either the minister to do the right thing and step aside for the good of the province, for the good of the party, for the good of the government. If he's not able to do that, then the leader, the captain of the ship, has to do the right thing and that means remove him from Cabinet.

Thank you, Mr. Speaker.

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

**MR. SPEAKER:** The Speaker recognizes the hon. the Member for Grand Falls-Windsor - Buchans.

**MR. TIBBS:** Thank you very much, Mr. Speaker, and don't leave out the Buchans, for God's sake – because I learned it the hard way – and Windsor.

I'm speaking here on behalf of new MHAs. We have some on this side of the House and, of course, we have some on that side of the House. We're all new to this and we're trying to figure our way through.

I'm going to be the last guy to stand here on my high horse and demolish a man or woman here for a mistake that they made in the past, but it's hard to watch. It's hard to watch the debate back and forth, sort of thing, about a mistake that a person has made, because we all make mistakes. Everybody here, there's not a person here who has not made a mistake.

Having that said, we're all supposed to be on the same team. It's a common goal, Mr. Speaker. We're all here for the people of Newfoundland and Labrador and we want the best for the people of Newfoundland and Labrador.

I've worked with lots of these ministers yesterday, the day before, the past two months, the past six months and there are some good people in this House of Assembly that want the same thing. That's not in question here. Not

once has the question been asked is the minister in question not up to his task with his constituents or whatnot. That's what has to be looked at. We're all here for the same reason, but what we have to look at is accountability.

Since four days – it's been four days since Monday, besides today, sorry – we have not watched that minister get up and do anything. He hasn't gotten up and said anything. The questions have been asked and people want the answers.

I can't help but think how different this narrative would have gone if on Monday at 2 o'clock or Tuesday, the first question had been asked and this minister had to have gotten on his feet and said: I fooled up. I made a bad decision. I was given some bad advice and I unequivocally apologize. The narrative for this week probably would have gone in a total different direction.

I can't help but think if that had happened how much time, money and resources would have been saved in those couple of days. It boggles my mind. I don't even understand the motion that's put forward. Why is there a motion put forward? Again, I'm a new MHA but it boggles my mind that there has to be a motion put forward to apologize for this. That should have been a given, should it not?

We've seen apologies across –

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

**MR. TIBBS:** We've seen apologies across the way all week here. Lord knows, the Member for Terra Nova apologies on a daily basis now.

It's as simple as that. I don't understand why there's a motion to apologize for something that you've done wrong.

I might be a new MHA, but I'm as old school as you get. I grew up on oil rigs. That's what I've done my whole life and, trust me, I've made my fair share of mistakes, million dollar mistakes at that when it came to big oil, but I owned up to it. I always owned up to it.

I'll go one step further, when I had a roughneck down the line that made a mistake, I took it on my shoulders. I always have because I was the

leader, and I just don't understand what's happening now.

As a new MHA, again, it just boggles my mind that this drawn-out process over – yes, a delicate issue, but it definitely could have been handled a different way right off the hop and it would have changed the narrative for this week I think.

As for this independent review, I'll save you \$100,000. It was wrong, don't do it. For a year now, the public have been screaming about this. This is a mistake. There's no way this can be true. It's a code of conduct.

For a year the public have been screaming about this. There's no way that a full province sees something wrong with this and the government doesn't. I've seen something wrong with it, and everybody has. We govern the province but we have bodies that govern us, too. We have two bodies that say this was wrong.

Again, I don't know where the motion is coming from where we're debating for four days about an apology. Where I come from, if you do something wrong you apologize, then you take it from there. Then we can talk about what happens from there sort of thing.

Mr. Speaker, I think a lot of people are asking the Premier and asking the minister if he's going to step aside from his Cabinet position, or if the Premier is going to remove him from his Cabinet position. There's a reason for that. If we have a minister in a position like that, highest of powers in this province, and he makes an obscure decision like he has, well that relates back to his power of authority.

We're not saying take him out of Cabinet because he's not a good person, because he's incompetent with his constituents. Nobody is saying that, but if you're going to abuse a power like that, you're going to make those kinds of decisions, then where you stand in the hierarchy, that has to be questioned, and I think that's exactly what we're doing here today.

When we're talking about an apology; again, I don't know why a motion is put through for an apology. It should have been done long ago. Let's apologize to the 77 people that took the time out of their day, took the money, the hopes

and dreams of possibly getting a job with The Rooms, one of Newfoundland and Labrador's greatest places. I've been there, I love it, but these people thought they had a chance at a job and they applied. Let's apologize to them. That got short listed to three people who were like – go home to your family and it's like: I got a good, possible position at The Rooms here and I'm really looking forward to it.

When I was going through the campaign, I loved it. I thought to myself, I got a good chance of getting a seat in one of the greatest places in Newfoundland and Labrador, and I got it. Can you imagine what these three people went through thinking they were going to get it, when they never had a chance in the first place? That's sickening; that's disgusting to me.

Then the person that was hired on for two days, did that person quit a job to go to that one? I'd be pretty angry, I can tell you that right now. So if you don't see the wrongness in what was done here, then we've got a bigger problem, I can guarantee you that.

We can apologize to the people who don't have insulin pump. We can apologize to the seniors who don't have dental care; \$40,000, that's a lot of money. Over how many years from now? That's a lot of money.

The Minister of Finance said many times, we come in here for asks. Whether it be 1.6-kilometre busing or whatnot, we come in here for many asks. He says his door is open. Well, is his door open today? Because I have about \$40,000 there that we could free up. So that's just a question.

Apologize to Ms. Foote. The Premier has often said, I can't believe you guys are putting her in this situation. We didn't put her in this situation to have all the media attention and stuff like that. None of us hired her. No doubt, I'm sure she's a great lady and it's no knock on her, but it should have been done in the right way and it wasn't. Now she's faced with this situation. She is, and it's horrible.

Like I say, Mr. Speaker, when you do something wrong you have to own up to it; you have to own it. That's something that should have been done here a long time ago.

The ministers across the way, absolutely, a lot of them are so fantastic. The ministers that have been kicked out of Cabinet, they've done great jobs, too. Nobody is saying that this minister and his career would have been over tomorrow and done. We're saying that right now he doesn't deserve to be in Cabinet, and I don't think he does either.

So, Mr. Speaker, that's something we have to look at. I would never want a man to lose his job, and that's just my own personal opinion. I would not want a man to lose his job along the way, but accountability is in the highest regard when it comes to integrity, and there's no place that should have more integrity on this Island, or in the Big Land, sorry, Newfoundland and Labrador – don't want to get in trouble with Lela. There is no place with a higher integrity than where we stand here today.

I'm not trying to preach, because I'm going to make my mistakes, too. I guarantee you I'm going to make my mistakes along the way, but I will own up to them. That's the most devastating part, as a newly sitting MHA here today, to have to watch this for four day. The same thing with the minister across the way, when it took two days a couple weeks ago to take back his comment and apologize. I just don't understand what's happening here.

I'm a blue-collar worker; that's the way I've always been. There are a lot of blue-collar workers here that feel the exact same way, and on the other side. That's just the way I feel, and I don't understand why the apology wasn't given a long time ago.

Mr. Speaker, I can't help but to think there have been mistakes made in the past; we've talked about that. If we do make these mistakes – there are certain mistakes that have different gravity; we know that. Certain mistakes have a higher end of power and then certain mistakes have a lower end of power, and we've seen that with apologies across the way and whatnot.

If I'm going to continue to be proud of what I do here, I don't think that we can afford to waste the time that we're wasting here. As a new MHA, we get into our roles and we're just trying to see how things go, sort of thing, back and forth, whatever, and I've watched people on this

side and the other side for years and have gained so much respect for them. I just can't understand how you can justify what's happened – how you can justify it.

I'm not saying that anybody on the other side has said, hey, there's nothing done wrong here. They realize that, but over the last couple of days, so many of them have stood on their feet – and I have to tell you, the amount of respect I have for a lot of these people is fantastic – and they've come up with different ways of lateral movement and movement inside. It's just absolutely sickening for me to hear, personally. Once again, I'm not trying to be on a high horse because it could be me tomorrow, but I guarantee you that I will apologize when the time comes that it is me. I don't mind that.

Mr. Speaker, we've been talking the past couple days – we have our little meetings around the room sort of thing and whatnot and talking to the Minister of Transportation and the Minister of TCII. When we have these little meetings, we talk about what's going on in our districts and trying to get the best for our constituents and our districts and whatnot. I can't help but think, these are the people that are in government right now that have to help the rest of the province. That's great. But your integrity will be called into question once you make the decisions like the decisions that were made. You can't help that.

This isn't our constituents. Go outside and listen to them. They did the questionnaire on VOVM – 86 per cent of people – my constituents, your constituents – want that minister removed from his seat. They do. They want the minister removed.

So if we ask the Premier to remove him from Cabinet, for all the right reasons – and I'm not saying that you're removed from Cabinet and your career is over. A year down the road that minister might work up again and get some credibility and be back in the Cabinet, who knows. But for him not to do the honourable thing and step aside, because I think the question was asked by the Leader of the Opposition today: Who directed you? Did the Premier direct you? No. Who directed you? The feeling we're getting is that nobody directed him. That tells me that take it on your shoulders yourself.

Because I tell you what, when I make my mistakes – and it's no disrespect to our Leader or our House Leader – I'm not going to sit here, I will not sit here, I'll stand on my own two feet, like I'm hoping a lot of other people would, I'll fall on the grenade, I'll jump on it. If it's on me, it's on me. I will take the responsibility for that, just like I think most people here would.

The Member for Lake Melville made a mistake. He's a great guy, he is. The Member for Lake Melville, I've had lots of interactions with him. He made a mistake. A grave mistake in the public eye? Absolutely. Took himself from Cabinet. Like my colleague said, it's hard to watch, it is difficult to watch another man or woman have to take that kind of heat, because, contrary to popular belief, yes, we do this, but it's 40 Members representing Newfoundland and Labrador, it is.

I have a big heart sometimes, and it's very hard for me to watch, it's extremely hard, but what's harder to watch is nobody taking accountability. That is so difficult to watch. I'm sitting here and I am absolutely bewildered by it and I don't understand.

So from what I know, we're going to vote on this. I just want to say this, there are a lot of good Members here. When I went door to door for my campaign a lot of the things I was asked was: Tibbs, are you going to toe the party line or are you going to be there for your constituents? Because everybody hears about toeing the party line and doing what's best for the party, and they want to know which one am I going to do. I think I came up with the right answer.

That same question is going to be asked of every Member here today. Are you going to toe your party line and think that a simple apology after four days of debate is suffice enough to just wipe out what happened and we move on with the day?

My constituents, and the 86 per cent of the constituents out there, including your constituents, say, no, that's not enough. When I vote today, I'm going to vote with them. I'm going to vote representing them. Not because I'm going along with the crowd, nothing like that, it has nothing to do with it, that's what my

constituents want and that's what my heart tells me, too.

I want to make sure that the recommendation of an apology – that's great, that's a recommendation. They keep talking about the recommendation. The Premier keeps talking about the recommendation of the apology. It's just a recommendation, guys. We can do better than that. We have to hold ourselves to a standard that's above anybody else in the province.

Again, I hate to stand here and preach this because I know that we've all made mistakes, but now we have to vote. I, just like everybody else here, have to go back and face our constituents. You're going to get the question at the end of the day: Do you think that the mismanagement is worthy of an apology, something so grave as to that?

The fact that it's been done before – new MHAs over there, we're looking to change stuff like that. When I came in to this House of Assembly I'm looking to change stuff like that, I am. I know that the newer MHAs – and the older ones too, of course, yes, I know – we're all looking to change that. We have wide eyes and bright minds and we're just thinking to ourselves, what can we do that's different?

I know my constituents gave me a mandate. They said: Tibbs, when you get in there don't play the political game. I don't want to, I really don't want to, but we have to face our constituents at the end of the day. I just want to make sure that all 40 Members in this House are prepared to face their constituents with that question. Did you vote with your party today or did you vote with the 86 per cent of the people in the Province?

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

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

I would ask the Members over in the corner to please take your conversation outside.

**MR. TIBBS:** Are you going to vote with your party or are you going to vote with the constituents that put you in this seat today? That's what I want to know, but, again, you have

to face them at the end of the day, so I want to make sure that everybody makes the right decision here because you're going to have questions and, by God, we better we have answers for those questions.

I'm sure I'll make my mistakes along the way too, but now is not the time to debate an apology. The apology should have never ever been debated. That should have been done all week sort of thing.

My time is coming up and I'll take my seat, but I just wanted to get up and have my say from where I stand. Again, we'll all make our mistakes, guys, but a mistake that's this grave, that's this heavy cannot go under the rug with an apology, I'm sorry and that's it. It has to be a higher standard, and that's all I'm telling you guys here today. Because you have to face your constituents at the end of the day.

At the end of this day, I know I can face mine. You have to ask the question: Can you face yours, with the upcoming vote? Because if it's just an apology, you pretty much condone – condone – the fact that it's a simple mistake, slight of hand, slight of mouth. It's not – it's not. It was planned, premeditated to get somebody that they wanted in that position. That's wrong.

When the positions come up and I want to hire on somebody and I'm in the position again someday, like I was on the rig, you better have your résumé in order. I don't care if you're my mother, my sister, my best friend because it's just not right.

I encourage everybody today to make that right decision, because it's coming and it's something that you have to live with for the next three years or four years, or eight years or however long we're here. I encourage everybody, when the vote comes, make the right decision because the 86 per cent out there, they're going to know about it, I guarantee you.

Thank you, Mr. Speaker.

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

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

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

I just want to let everybody know, the people around the province, there's no joy in standing here today to speak on this issue – absolutely none.

There are a few things I just want to clarify. I heard the Member for Grand Falls-Windsor - Buchans speaking about crossing party lines. I'm going back eight, 10 years ago when a certain Member of your caucus had an issue and everybody was saying he should do this, should do that. I was the one who stepped out and said no, we're all going to suffer. Families are suffering. I walked over to the Member and I said stand up and apologize, nothing else. He shook my hand and he stood in this Legislature and he said, look, that's the way we should do it here. I have no problem crossing party lines whatsoever when I think something is right or wrong, absolutely.

Another thing I find, I don't know if it's sad, but I know that there are people's mothers being brought into this. It's sad. This person that you're talking about, this person wasn't the mother. This person – you're talking about the mother?

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

**MR. JOYCE:** How many years? I sat with her for many years, I think eight or 10 years. One year she had cancer and she stayed in to vote and here we are trying to vilify her for some reason. This lady did more service for this Province of Newfoundland and Labrador than any of us are going to do and we're bringing her name into this.

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

**MR. JOYCE:** Blessed Lord, keep her out of it – just keep her out of it. She did more service; she did more work when she was in Ottawa. She did more work when I sat next to her, so let's keep the debate to what it is. The person that's involved with it, down where she's at now, I know when I worked with her she was excellent to work with. Let's not think that she's somebody who someone just picked off the street.

The position itself, that's not what I'm discussing, but my dealings with that person were always professional. They were always great. A great person, great personality; she had the credentials. When I was dealing with her, she was excellent. I just have to put that out there and what happened after, I don't know. Those two people, if this person ever got where she was at – she got on her own because I was involved with her coming in to our office in the Opposition. This stuff about she has this because of so-and-so, this person stood on her own feet and the person that we talked about, her mother, did more for the province than any of us are ever going to do.

Mr. Speaker, I'm going to stand here today and just speak about this because I've been through it. I've been through this and I know what the Member is going through. I've been through a lot of this. A lot of the allegations that were made were false, absolutely false, and there's going to be more coming on a lot of that. Again, I hate to stand here and say it but my name is in this report as one of the reasons why we should do this to the minister. I did something – Code of Conduct.

I know I'm not going to present anything in the House about the reason because I influenced the job. I have to speak on it because I'm in the report. I don't mean to be bringing me into this, but I'm in this – because of what happened to me, this minister should get the same thing. I just want to read this and this will all come out by the way.

I just want to let the people of the province know – and I'll explain why – all this stuff that I introduced, the two things I'm going to read here now, I never had the opportunity to even see or even present to. When I saw this, it was when it was tabled in the House of Assembly. That's when I saw it.

I just want to read it and I'm going to relate it back to the situation going on now with the minister. I'm going to read it because I'm the template, apparently, for what happened.

Here's what the deputy minister of Service NL, Sean Dutton, said in his report: When did the conversation take place? September, early October, for four to five weeks. I was nagging a

certain person four to five weeks. Late September, early October, so let's say the beginning of October up to the first week of November, I was nagging about this job.

Here's another letter – so I have to question all the evidence put in – and I never had a chance to refute any of this because it was so easy. Here's another letter. November 17, 2017, the vacancy was advertised on the government website as a public opportunity. That's when that job was open. You know who this letter is from? Sean Dutton.

While I'm being vilified, Sean Dutton himself is contradicting his own – the deputy minister contradicting himself. I never had a chance to refute it, yet when you come in the House of Assembly, all the big hoopla, you're crucified, you're vilified before they even get all the information out. I know what the minister is going through, some of the stuff that happened, but I'm sure there's stuff in that report – I'm confident there's stuff in that report – that's not accurate. I'm confident. There are a few others things I'm going to speak about, too.

Then, when you go outside this House, you go outside in the media and I go back to Humber - Bay of Islands and I was fortunate to get elected, almost 70 per cent as an independent. I just want to thank the people that know me and thank them for sticking with me on it.

The other part, for myself and Dale Kirby, is that when the allegation was made – and I'm not here picking on anybody; I'm only just stating the facts. Allegations were made October 25. They were brought up in the House of Assembly October 25. That afternoon, I was asked to leave the Cabinet; I wouldn't leave. Next morning, the Premier removed him from Cabinet. Never an allegation made, just a verbal allegation. Gone. Boom. The whole hoopla around here. And then Dale Kirby, the same thing.

Yet, we see the Premier now, rightly or wrongly, that's up to the Premier; it's his decision, rightly or wrongly. Everybody's gone; the minister is still there. Right or wrong, that's not my decision; it's the Premier's decision, but you can see the difference in how the Premier is treating things, the inconsistency of the whole point.

Then when it hit the media, rocked by scandal. The whole House of Assembly is rocked by scandal, the big scandal going on, what was it, over a 13-week job and Dale Kirby told someone he loved them. It's pretty sad, but this is what brings the culture here today; this is what brings the culture here today. So this is nothing new. This is what brings it here today.

Years ago, we'd sit down and we'd handle all this stuff. Now, it's almost like everything is being weaponized through different agencies of government.

Then, the other sad part about me – and this is why I have a problem. I say to the minister involved here, I'll say – and I know a bit more – this is why I say, when the allegations were made against myself, they were made to the Premier of the province. When I went into his office, he told me what the allegations were.

He looked at me and said: Ed, they're all BS. They're BS – exact words. He said, why don't you go down and do some – bring up some mediation. I said, mediate what? That's how the conversation went. But do you know the sad part about all that? The person I asked to go as a witness to show that they changed was the Premier of the province. He was never called as a witness, or wouldn't go as a witness.

The person who could have cleared all this up from day one was the Premier of the province, and he was never called or he wouldn't go. If he was a man, like I thought he was, he would've stepped in and said no, no, no. Because there was a staff member with him who took all the notes and when they went in to the Commissioner, this other person said: no, no, I don't think that's right – took notes, not right. The only other person was the Premier, and he never had the courage.

So I know what you're going through with the Premier of the province. This is why I don't believe a lot of things I hear today about the Premier. Then, of course, the allegations change. We have to look at the person that came in.

I can tell people right now, back last September, I spoke to the Premier and Greg Mercer about this. I knew this person was coming in, and I'll tell you why. They called me. Do you know



what they wanted to know? Because this guy worked in the government before when I was in government. That's what happened.

Now, what happened, what the process was, I don't know. How the process worked, I don't know. I honestly don't know, but I can tell you that I spoke to the Premier and the chief of staff, Greg Mercer, last September about this person coming in; make no bones about it.

So I say to the minister, if you're going to die on the sword, that's up to you. If it's true or not, I don't know. Only you know that, but I can tell you, the information that I know is this person was coming into that position. Now, how the other things unfolded, I have no idea.

I can tell you one thing right here, right now, with my dealings with the Premier of the province, I know the information he put out in the public domain about me, I know the information he said to other people, that he stood in this House and denied, I have a hard time believing anything he says about what happened with this. I'm sorry, but I do. Because my experience with Dwight Ball is that a lot of the things he might say in here and what he's telling other people –

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

I remind the Member, you can't use a Member's name.

**MR. JOYCE:** Yes. I'm sorry about that.

I'm just saying it because he was such a good friend. When I hear stuff he says here, I have to take it into question because I know what was said about me and I know what he told my family. I know what he said in the House and I have evidence to prove what he was saying.

So this is why I have evidence, because I know personally this person was slated to come in; and how they're going to do it, I don't know.

I've been in government a long while; there's no executive position going to be taken out of government unless the Premier sanctions it. Now, if he could sanction it, that's up to him. If he don't sanction it, that's again – but I can tell you, there's no executive position. Now, he

might direct someone underneath him, Greg Mercer – which he usually does – to go do it. That's fine, but the Premier of the province to stand here and say: I never spoke to this person. Premier, there are a lot of ADMs and DMs that were removed or transferred, you never spoke but you gave the direction and the Clerk of the House took care of what your direction was.

So this idea, I never spoke to this person – do you know the sad part about it? This person who went down there, she went through it all. She went through it all. There should have been an OC cut and delivered. That's what should have happened there, simple. OC, executive position, order-in-council, transfer her over. That should have been done and we wouldn't be here today. We would not be here today. Why it wasn't done, I don't know.

When you look at the report itself – and I go back to it, Mr. Speaker. I go back to it and I look at the report. I guess going through it and you analyze it, and I look at – do you know who wasn't interviewed in this report? The Premier of the province. The Premier of the province was never interviewed. Greg Mercer was never interviewed. Was the person coming in to get the job, were they ever interviewed? Was the person who was going in the other position, were they interviewed and said, who offered you the position?

These are the questions that I have to ask. How can you sit down and say this report is complete when there are major players in it? I revert to myself, Mr. Speaker, where I was a major player –

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

**MR. JOYCE:** Yes, I know, Mr. Speaker. When I was a major player – and I never got interviewed. How can you give a report that's complete without interviewing the Premier of the province, the chief of staff, the person – ask when the person that came in to the other positions in communications when were you offered a job, who offered you the job and the person that left. Who spoke to you?

How can you look at this, take this for face value and let a minister go through all this without this being in the report. It's pretty hard. I went

through it, I say to the minister. It's pretty hard when the major players aren't even interviewed to give their side of the story about what happened.

Why wasn't there an OC cut? This minister doesn't cut OCs. He doesn't do that. Why wasn't that done? So, here we are, the big hysteria about this big job – no doubt, there's public outcry. There's public outcry out there, absolutely, no doubt, but I can tell you one thing, the people in the Humber - Bay of Islands elected me to do the right thing, not the popular thing.

I need to stand up here and talk about all these issues, the issues that I have with this report, because I've been through it. I know the minister has been crucified over this, I know his family has been involved and I know your mother is all upset. Listen, that's family. They didn't run for this.

I heard the Premier of the province stand the other night and say the report is flawed. Here's the Premier. If you think this report is flawed, why don't you, Premier, take this report now, send it to someone outside and do a proper investigation where everybody is interviewed who was involved with the process, and present it back to the House of Assembly so we have the full picture. If you think that's flawed, here's your opportunity.

You can't stand there and say the report is flawed, you not being interviewed, the chief of staff and two other people not being interviewed and say we have to accept this. I've been through it, and I'll tell you when you get the facts out, it's a different story than the hysteria that's being created around this House.

Minister, I see what you're going through, but I can tell you when you get this report and the major key players aren't in there that could have clarified this – why wasn't there an OC cut? That's the big thing. Why didn't the clerk of the Executive Council cut an OC? That was never answered in this report.

We're going to debate, we're going to vote on this report now with the Premier of the province saying there are flaws in it, just like he said to me there are flaws in the report, but we have to

crucify somebody. He's doing the same thing to that minister. Premier, I have to say it's shameful; it's actually shameful to take this and wash your hands clear of it, walk out and say, I had nothing to do with it.

I ask anybody who's been in this House and Legislature as long as I have, name me an executive position that was ever transferred or put in that the Premier didn't okay it. It just doesn't happen in government.

Minister, you're falling on the sword. I don't know what happened; I wasn't in the room. I can tell you one thing, before I'm going to throw you on the sword, I'm going to try to get to the details of who else was involved with this, why it wasn't done through the proper channels and who never stood up and spoke and said here's what we should do and follow the proper channels. I can tell you, the person that we're talking about here is a good person. I know her, a very good person. For a position down there, that's something that the minister is saying but I can tell you, all my dealings, a good person.

I'm not disputing any of that but I'm disputing the same thing, Mr. Speaker – myself and Dale Kirby. You have to dispute the process. Once the process is flawed, the end result is going to be flawed. I don't mean to say this in any devious, bad way whatsoever, but when all this happened with myself and Dale Kirby in this House of Assembly, the PC Opposition – I know a lot of the new Members weren't here – recommended we get suspended for 30 days. The Leader of the Opposition saw me out in the elevator and apologized. Didn't know the report, didn't see all the details of it until we started flushing them out. It's still not out there yet.

This is the part. I think – my personal opinion – what I'd like to see is this House of Assembly unanimously stand up and say let's get an independent investigator to come in. Let's get all the people involved in this that were involved with this, not just that one minister who I – and myself and Dale Kirby felt the wrath of that, felt the wrath of being cut loose. Report back to the House of Assembly so we can make an informed decision. If we were a proper Legislature – and I look back at anything else that we ever do. Do we always want the facts before we make a final

decision? The answer is always yes. Minister, I know what you're going through.

There's another thing that I have to bring up here very quick. If you notice in this report, the Citizens' Rep did the report. He can't assign Code of Conduct violations. He gave it to the Commissioner for Legislative Standards who never sat in on any interviews, never asked for any additional information; he just signed off and said, yes, here's the breach of the Code. I'm not saying he did a bad job, the Citizens' Rep, I'm not saying it, but here's the Commissioner for Legislative Standards taking the report from the Citizens' Rep, not being involved with any interviews – took it and said, boom, yes, okay, signing off on it.

I know a person in a gas station who signed off – one of the people working with him signed off on a car doing an inspection. The car was in an accident and they came back and said, did you see it? No, he did it; I signed off. No, no, no, you have to look at it; you have to be here yourself. It's a very small point, but look at when the Commissioner for Legislative Standards signs off on this.

I'll tell you why that's important. When myself and Dale Kirby went through this whole gamut here in this House, he hired Rubin Thomlinson. Rubin Thomlinson came in, did the report and said there's nothing wrong whatsoever. He added a few sentences. He took this report without doing any evaluation, without calling one witness, without calling any significant witness and signed off on it and said you're guilty. What a double standard.

I can tell the people here, I'm not here to defend the minister; I'm just talking about the process here. We have the Commissioner for Legislative Standards signing off on something without even doing any investigation. I can say one thing I'll say to the minister, the Premier: There's a lot more to it because a lot of stuff he said about me is factually incorrect. I'd like to know and hear from the Premier on this under oath before I make any decision.

**MR. SPEAKER:** The hon. Member's time has expired.

**MR. JOYCE:** Thank you.

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

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

I move, seconded by the Minister of Health and Community Services, that the debate adjourn for a moment.

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

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

I move from the Order Paper, Order 5.

I move, seconded by the Minister of Children, Seniors and Social Development, pursuant to Standing Order 11(1) that the House not adjourn at 5:30 p.m. on Thursday, December 5, 2019.

Thank you, Mr. Speaker.

**MR. SPEAKER:** All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**MR. SPEAKER:** Against?

Carried.

The hon. the Government House Leader.

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

I now call from the Order Paper, Motion 3.

Thank you, Mr. Speaker.

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

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

I said it one time before here, sometimes it's an honour to stand and speak in this House and sometimes it's a struggle to do it with the circumstances. Unfortunately, this is one of those circumstances that affects everybody.

It's having an impact on the Members in this House, a particular Member more than other Members. It's having an impact on people who are affected outside. It's having an impact on the

general public. As you can see through social media, as you can see if you go out to an event, what people are bringing are up, it's taking away from the integrity, the process and the importance of what we do in the House in Assembly.

With that being said, Mr. Speaker, it's a serious issue that we're having to have this debate about. We've heard a number of speakers speak to this issue. It's related to a report about improper procedures that was done by a senior Member of the House of Assembly and a senior Member in Cabinet. Obviously, we're all accountable for our actions. We're all responsible for our actions. We all must own up to and take responsibility for the repercussions. That's just a reality that we face.

We've had a lot of debate and we've had a lot of discussion around what would be the proper reprimand in this position. The reports that have been outlined by two legislative Members of this House, the Citizens' Representative and the Commissioner for Legislative Standards, have noted that there was wrongdoing here, that there was a violation of a number of issues and that there has to be a reprimand, Mr. Speaker.

We have to make the reprimand fit the reality of where we are. I know people will think certain things are too lenient and we're not sending the right message to some things. People will think things are too stringent or too harsh in what we're doing, but we have a responsibility in this House. We have a responsibility to do the right thing for people. We have the responsibility to set the bar.

I talked about the harassment bar being set and the integrity of the House. Well, again, I talk about the responsibility for the decisions we make. We have to live by those. Mr. Speaker, we've heard a multitude of people talk about what it means from their district point of view and their own integrity, and what it means for the general public to have faith in what we do in the House of Assembly. What it means for not being in a position now to be debating legislative policy that would improve people's lives because we're distracted by things that have happened.

Things happen. We realize that. I doubt if people deliberately set out to do certain things that have a detrimental effect on people's lives, but it does happen. When you do that you're responsible, particularly, if you knew or should have known a process that should have been better than that.

Mr. Speaker, I can't speak holier than thou because I was somebody who violated – an infraction in the House of Assembly and I live by that. I understand my wrongdoings and I apologized to my colleagues in the House of Assembly for what had happened at the time. You learn from it. I would hope my situation taught other Members about the disclosures and what they need to have in their disclosure statement.

At the time, Mr. Speaker, that was seen as a major infraction because I think it was the first one that was ever seen. In hindsight, in looking on what's gone on since then and looking at what's in this report – that paled in comparison. That's no defence for what I had done. I owned up to it, took responsibility for it and have rectified the situation since then. I hope that part of what we did had an impact on other people in the House in what that was relevant to.

We have now to be responsible for the next level of the integrity of this House and that means setting the bar again. Unfortunately, there has been an infraction. I prefer we never get up and have to chastise or criticize or even question the integrity of anybody in this House, or the work that they had done or the decisions they made, but unfortunately, we're doing this now after outside entities who are legislative Members of this House as the Citizens' Rep is and as the Commissioner is.

We have a responsibility to deal with this to set the tone for ensuring that we learn from what's in this report and that we prevent people from doing it again. Unfortunately, Mr. Speaker, to do that, we have to send the proper message to everybody, not only our Members here in the Legislature, but to the general public, that we hold ourselves at a higher standard.

Mr. Speaker, while we're debating this motion, I'm now going to stand and make an amendment to the motion that's been put forward.

I move, seconded by the Member for Conception Bay South, that the resolution respecting the Member for St. Barbe - L'Anse aux Meadows be amended as follows:

(1) By adding immediately after the word "Assembly" in the second clause a comma and the following: however, the unprecedented findings by the Citizens' Representative that the Member grossly mismanaged his obligations by violating five principles of the Code of Conduct warrants a severe reprimand that is higher on the scale of punishment than a typical reprimand; and

WHEREAS the practices and precedents in the hon. House in dealing with motions regarding reports and recommendations of the Commissioner for Legislative Standards regarding Code of Conduct contraventions provide that the House may amend the motion to intensify penalties under section 39 of the act as it did repeatedly on November 6, 2018; and

(2) In the last clause, by deleting the word "recommendations" and substituting the word "report," and by adding immediately after the word "Assembly" the second time it appears the following: unequivocally, and orders and further that the Member: (a) submit an unequivocal apology to the House in writing; (b) submit an unequivocal apology to the former and present board members of The Rooms Corporation in writing; (c) meet with the Commissioner for Legislative Standards to review the Code of Conduct of Members of the House of Assembly; (d) be suspended from the House of Assembly without pay for a period of two consecutive weeks when the House is next in session; and (e) make restitution to Her Majesty in Right of Newfoundland and Labrador an amount equivalent to one year's salary of a Minister of the Crown in this province.

Mr. Speaker, we put this forward as an amendment to the standing motion.

**MR. SPEAKER:** The House will recess for a period to review this amendment. We'll report back to the House shortly.

### Recess

**MR. SPEAKER:** Are the House Leaders ready?

The Opposition House Leader is ready? Yes.  
The House Leader for the Third Party ready? Yes.

I've had some time to examine the amendment. The amendment is in proper form and within the scope of the original motion. I find the amendment in order.

The hon. the Opposition House Leader.

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

Again, I'll start the way I started before, nobody cherishes this debate we're having right now in this House of Assembly. This is not about an attack on anything other than ensuring the integrity of this House. It is front and centre for ourselves in this Chamber, but for the people that we represent.

Mr. Speaker, we've had a lot of dialogue, we've had a lot of discussion around where we go with ensuring that people have trust in what we do. We've spent the last 18 or 20 months talking about how we win back the respect of the people of Newfoundland and Labrador, about our decorum in the House of Assembly, what the position of an elected official is, what an MHA stands for and what it should stand for, but, particularly, what it stands for in this House of Assembly.

It should stand for and it always did stand for, and I would hope that it would continue to stand for, the integrity of debating legislation that improves the lives of people of Newfoundland and Labrador. That it stands for good dialogue, good debate but good decision-making, at the end of the day. It should also stand for representing the wants, the needs and the voice of the people.

What we had presented here earlier was what we were hearing from the people. It's what we felt needed to be said in the House of Assembly. It's what we all felt, particularly on the Opposition side, needed to be set when it comes to a standard of acceptability on our behaviours in the House of Assembly and the decisions we make.

Again, as I said earlier, there's no intention for anybody to do any malice against anybody here,

to take away anything that wouldn't be justifiable, Mr. Speaker.

We presented an amendment based on a report by two credible officers with integrity that we all must adhere to and live to the standards that they set here when it comes to the Citizens' Representative that not only talks about our conduct, but the Citizens' Representative also looks globally in Newfoundland and Labrador in representing the needs of individuals.

Keep in mind the allegation or the initial starting of this report didn't come from somebody in the House of Assembly. It came from somebody outside. It came from a citizen who felt there was an injustice, that there was a wrongdoing. That there was enough evidence to do a full investigation to determine if somebody had overstepped their bounds, if something inappropriate had been done and if there should have been a different protocol put in play to make sure that everything was equal and even across the board.

Because it is what it is, it's unfortunate that the findings dictated that somebody had overstepped their bounds; a gross misuse of authority – those are the findings. They're not me saying that. It's not my interpretation; it's what's written in this report, Mr. Speaker. I prefer it wasn't there. I'd prefer this report didn't exist. I'd prefer it didn't have to exist but it did. A citizen exercised their rights; a citizen exercised the protections they have in our society.

There are a couple of things I take from this. I take from the fact that we do have a process that does protect our citizens; it does protect the integrity of what we stand for. It does ensure that those elected officials, like all of us in this House, must adhere to a set of rules and regulations and a Code of Conduct. From that, the Commissioner for Legislative Standards, himself then, has taken it, has looked at it and has said we need to do better. We need to ensure that there's confidence by the general population about how we conduct ourselves in the House of Assembly and that there needs to be a reprimand, that we're all accountable for our actions.

As I've heard from my colleagues on this side, particularly, about the impact it's having – and

we're only talking the last three, four days we've been having this debate – on their citizens. Their own people phoning in, sending emails, being upset, questioning things and equating what we've done here to other issues within government and all this. Whether or not they're directly connected or not is immaterial, it's the perception that is out there right now.

It's unfortunate because we want people to have hope in this province. We want people to feel the decisions we make here will improve their lives. We want people to say, at the end of the day, when I mark an X, I mark it for integrity, I mark it for openness and transparency, but I mark it for somebody who's going to, at the end of the day, do the right things. Do we all make mistakes? Of course we do. Do we all have to own up for them? Of course we do. We have that responsibility.

Mr. Speaker, I'm not going to prolong this because, at the end of the day, we put forward something that, after discussion and after listening to the general public and after weighing previous decisions, we felt would be an appropriate restitution for the severity of what's in this report.

We'll have an opportunity to have more debate and dialogue, Mr. Speaker, and then as this House is a democratic Chamber, we'll get to vote on the outcome of that motion.

Thank you, Mr. Speaker.

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

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

I, like many of our colleagues, stand with a heavy heart and head today. The issue we face before us is not about individuals, it's about a process that occurred, that was revealed to – for the want of a better word – it was – I know we have terms within the report, but when we look it this is more than just about the people here in this House. This is more than about the individuals who were directly involved. This is about our whole province, the future of our province. This is a process that we had hoped was dying in the days of old politics. We can't continue to substantiate the sins of today by sins

of the past. We have to do better. People of our province expect us to do better.

We've heard MHAs from all sides, we've heard the Premier, we've heard people arguing to substantiate the action, saying it's a normal procedure. We've heard people saying that, no, it's not. To the best of my knowledge and my research, it was not a normal procedure. There was a legitimate way to place that individual in that position, and that was ignored. So while many people in this House have said it was a mistake, this was not a mistake, Mr. Speaker, this was a deliberate action by the minister. For that, it's inexcusable. For that, someone has to pay the cost.

Right now, Mr. Speaker, do you know who's going to pay that cost? Right now, we have an individual who had the job – well, who was awarded the contract. That individual has rights. Those rights were violated. That individual now, allegedly, has a case against our own provincial government for the damages that they incurred, the loss of revenue, the loss of employment, the loss of, technically, their credibility.

We also have a commitment to the individual that is now in place. A commitment that is, as we've all said, up to \$50,000 more in an annual salary. But do you know what? An annual salary, on the basis that maybe that individual may have another 20 years of employment, possibly, in that very same position, that could be up to another \$1 million – \$1 million just on the face value of that \$50,000 per year. Plus we have the liability, plus we have the additional salary costs that are associational with that.

Now, who pays for that? This decision was outside protocol. This decision was beyond the scope of the minister's authority. That's why, in this report, it was identified as gross negligence, gross mismanagement of the minister in question. While I personally have no issue with the minister, I have a responsibility, just as all of us do. All of us have a responsibility to the ones who hired us, our constituents.

Mr. Speaker, when we look at \$50,000, this is not our money. If we could say this was our money, Mr. Roarke would be sitting here in the Premier's chair. Can anybody remember Mr. Roarke? He was the owner of *Fantasy Island*.

Basically, what has happened is money has been used as if it was a fantasy. Money has been given out on the basis that nobody is going to have to pay it back.

I can't even say it's today's people who are in existence today, it's not their money. Do you know why? Because the last time I checked, we were running a huge deficit. We've run deficits for years, to the tune of us having to pay almost \$1 billion a year in interest.

Now, Mr. Speaker, I ask: Who's going to pay that? Is there any plan to pay that this year? No. We don't have the financial ability to pay that. So when we look down the road, by condoning what's happened – and there's no retribution for this – we're adding another \$1 million of unfunded liability to our grandchildren, our great-grandchildren; generations down the road. They are going to be encumbered by a decision to increase the province's payroll.

Mr. Speaker, as a business owner, if one of my managers went and made a decision that was going to increase the liability without increasing the net worth of the province, I can tell you one thing, that manager wouldn't see tomorrow morning, not on my farm, and that's a problem.

This province, for so long, has been run as a political theatre. It needs to be changed into a business. Managers, being ministers, the ones who oversee different aspects of the enterprise, they are responsible to the CEO, being the Premier; but not only that, the Premier is responsible to the shareholders.

Who do you think the shareholders are in this province, Sir? Who do you think, Mr. Speaker? They're the men and women of today, the children of today and the children who will become men and women of the future.

Why is it that we can sit here today, we've listened to people say, yeah, sorry is good enough. Do you know what? A sorry is not good enough. A sorry is far from good enough because there's a real cost to this decision, a real cost that someone else is going to have to pay.

Through our amendment that is now on the floor, that represents a very small portion of what this decision, and by all reports through the

*Mitchelmore Report*, was an inappropriate action and an abuse of public trust. That's what this comes down to. This is an abuse of public trust.

We've sat here now for two days and spoke of this, while people outside those doors are losing their homes. People outside those doors can't afford the medication they need to keep themselves healthy or to mitigate an issue that they have. People outside those doors – and while we don't want to think about that much, people outside those doors are hungry, they're cold. Why? Because they do not have the money. Why? Because the cost of living exceeds the amount of money they generate. Why is that?

I'm pretty sure everybody can say we're in a tight spot. While everybody said blame here, blame there, the reality is there are people suffering and actions such as this are only complicating that. Actions such as this are discouraging investment in our province. Actions such as this are only fuelling the fire of nepotism.

Through a recent report that was commissioned by this administration, that was one of the key things that was preventing people from coming back and considering a career in this province. One of the key things was they felt they would never be judged on their merit. They felt that in order to get a position within government or wherever it may be, or one of the boards or agencies, you had to be in the know. You had to be part of that.

While I commend the work of the Independent Appointments Commission, there are obviously gaps, voids and facilities that still exist that allow government to bypass the Independent Appointments Commission, and that's a problem. That's a big problem because without faith in the virtuous venue of being examined on your merits and getting rewarded for said merits, where is the future?

Mr. Speaker, as a business owner – and there are many people within this House that have businesses or been involved in businesses – there's huge value in an interview process; there's huge value in a competitive application process. While we've heard the Premier and several Members say that the individual is the

best person for the job – and maybe that person is – but we will never know if that individual is the best person for the job.

We, through the minister's actions, have done a disfavoured not only to the whole general populace; we've also done a disfavoured to that individual who was placed in that position at The Rooms. That individual's credibility will be forever questioned. Why? Because the proper procedure was not followed.

There have to be consequences for actions. There have to be substantial consequences for actions. While my constituents and people of this province have expressed their frustration, I don't know if we have the power to exact equivalent damage that we've done to our province's credibility; the individual's credibility, who was involved in this human resource issue; or the actual physical, material cost of this affair.

The Premier stood saying we have to do a jurisdictional scan. There's no need for a jurisdictional scan, Mr. Speaker. Walk down the street. Every week I run into literally thousands of people. Sometimes I'm dressed up in a suit; other times I'm in coveralls. Over the past week and a half, they've come up to me and they've expressed their opinion; they've given me their own scan of the situation. In those thousands of people that I speak to each week, not one of them was okay with this.

We all walked into this Legislature – or put ourselves for public office. We put ourselves up for interview; we put ourselves up for a competitive application. Let's look at democracy. We were chosen by people based on who we are, what we could offer and how we could better people's futures. That's how an application process is done, through examination of our merits, through examination of our qualities. That's how we ensure that we get the best individual for the job.

Without said interview, without said process, we don't know. It is our duty to the people of this province, again, to the present and the future, to make sure that we fulfil that duty in the most honourable way possible and ensure that we are doing the best job for them and for the future of the province.



Mr. Speaker, every one of us put ourselves up for office not on the basis that we were going to continue the same; we put ourselves up for office on the thoughts, on the belief in ourselves that we could do better. Everybody could see that our province needed a change. Everybody could see that we need to change how our province is run, how our province moves into the future and how our province uses our resources and how it spends its money. We all said we could do better. Evidence in this report proves otherwise. It is definitely a reflection on all of us. The longer we sit here and stand in our places, trying to legitimize or trying to counteract, we all become sullied with the actions condemned in this report.

Mr. Speaker, when you look at \$50,000 a year – not just \$50,000 one-time, \$50,000 a year – that could provide insulin pumps for about 500 people and supplies for their insulin pumps for a full year. You can buy 1,000 months of bus passes. It can cover 25 people's worth of eye injections for a year. It can provide a dental visit for 250 people a year. It can provide eyeglasses for 300. It can provide 96 months of rental subsidy for those who are right now living in emergency shelters.

It can provide 13,733 hot breakfasts for our children going to school. It can provide 10,000 hours of wage subsidy at \$5 an hour that would enable our employers, who are driving this economy, to hire more people who are in desperate need of jobs.

Mr. Speaker, we all picked up the paper yesterday; I guess most of us did. We saw the headlines on the front page. There were two headlines on that front page, Mr. Speaker. Does anybody know what the second headline on the front page was? Probably not, and shamefully so if they don't.

The second headline on the front page was food banks usage up another 6 per cent this quarter. Climate change is predicted to drive the price of food up to the average family in Canada by \$500 per family. Given our geographic isolation and the cost of food here, you're looking at about \$730, \$740. Mr. Speaker, that per cent of food bank usage is only going to rise. Our people are going to be hungrier; our people are going to be colder. That \$50,000 that we have allocated for

this extension of this position could be used in much better ways.

Mr. Speaker, as we all consider the upcoming vote, I would ask all Members within this House to think of what their constituents would say, if you dismissed what your constituents would say. Before we all vote, let's go out and have look in the mirror. Look yourselves in the eyes and say am I content with letting the people of the province bear the cost of this malice. Am I content with the next time a constituent calls looking for \$150 for a basic need, to say, no, we do not have the money for you?

That's what's on my mind. It's not about the minister. It's not about the individual that was placed in the position. It's not about the individual that didn't get the job. It's not about 70-odd qualified individuals who applied for the job, it's about that constituent who is going to be short \$100 dollars on their rent or \$100 on their mortgage and lose their home. That's why it does not sit with me, nor my constituents, nor the people of this province.

Mr. Speaker, if we can legitimize the actions of this minister and dismiss the recommendations of this report, I will be walking out those doors with my head hung in shame.

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

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

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

The debate now has turned into a very important direction. There is absolutely no question that this House does indeed have the power to regulate its own internal affairs. Part of this debate today is about the notion of sanction and reconciliation for events that have occurred that would not meet the parliamentary standard; the Westminsterian standard that has been established since generations ago.

This is a hallowed hall. This is a very, very important place that comes and bears with traditions, and sometimes tradition is not always adopted as a modern prescription for a 21st-century legislature.

It is worth noting that progress has been made. While we often lament and draw concern to the perception of the Legislature and the function of the Legislature and the performance of our democracy, it is worthy of us saying that we have been successful, in my opinion and I believe other Members' opinions, and in the public's opinion, that we have been successful in many measures in making progress in certain key areas of a 21st-century Parliament.

That includes such things as enacting the – we've advanced new territory in the 21st century from our workplace harassment delegations. We have really, really drawn distinction to ourselves in such matters as our renewed mandate towards democratic reforms. We've had a proposal, currently, or at least being discussed in the periphery but still front and centre amongst us all, in our thoughts and minds, for consideration about Indigenous inclusion and engagement within our Legislature. So with that, we should resolve that progress has been made.

Today, it is evident that a turning point has been reached where we will take that even further; we'll take that further afield and arguably break some of those Westminsterian protocols that have been entrenched in how Parliaments behave and what are the norms of Parliament; the norms and protocols of dealing with issues such as the honour among Members.

Now, Mr. Speaker, you would be well aware, and any student of Westminsterian traditions, would be well aware that often restitution is done through a calling of the Member; restitution through the issue of apology. It is not a light punishment in any parliamentary system to be called, to be called out, to apologize and to issue an apology. It has happened in the past and, undoubtedly, will happen again, regrettably as that may be, but we are all human, we do make mistakes.

But in this particular case, an amendment is being put before the House to impose a particular financial penalty directed at a Member of the House in performing of a ministerial duty. Undoubtedly, this is not a point of argument, this would be a point of fact. This is a true break from Westminsterian precedence.

Some may suggest this is a valid, modern prescription for a modern-day legislature, and

there would be ears to that argument. But given the fact that the elements of the restitution, which are currently before the House, were arguably – arguably – somewhat – somewhat – arbitrary, given that it was done without precedent or without pre-consideration, the way that this debate has increased, I think we have to very clear-minded amongst ourselves that the weight of this debate has now significantly increased.

So this amendment becomes more weighty, which some may call fair and necessary as part of a 21st-century Parliament. I would suggest a measure such as this deserves sober thought before the arbitrary is to be adopted as permanent, because once we establish this as the prescription, let's be very clear with each other, this is the permanent model. This will be the permanent model for consideration for this Legislature.

A wise person, a wise man once said to me, change is definitely necessary and change can be very good, but to be sure-footed where the change will take you, you must examine it first. He said that in this regard – with his tongue in his cheek somewhat, but true to word – conventional wisdom, the bane of progress, can often be considered to be borne of either convention or of wisdom. That is what Westminster and Westminster-style democracies does provide us. It is a historical account of an examined approach to how Parliaments should function and function over the long term. But with that said, change is always good.

But if we are to look at treading on new ground to make the Legislature and our practices, our codes and our conducts relevant to a 21st-century Parliament, then of course perhaps, really, the prescription is to delete privilege in its totality. Privilege is an ancient, but a very relevant one in the 21st century. Every Member of this House has privileges; a connotation in an outside world and an outside voice is bred with contempt. We 40 Members have privilege. Well, those privileges include protection from civil actions while conducting our business as parliamentarians, protection from the civil action of slander. We have protections from being able to be called for jury duty, which every other citizen must be called to. We have privilege.

In a 21st-century context, look from the outside looking in, why would we continue with these ancient traditions? Why would we stand when the Speaker stands? Why would we hold to attention? The various things that are born in historical context, I would argue they're done for good reason. They're part of a convention that allows for that discipline, that decorum and that respect.

One of the greatest elements of our Westminster tradition is an expectation and an understanding of the honour of Members. It would be contrary to say that a Member is dishonourable; it would be the default to say that they have honour. By taking the oath, they have honour. I think that maybe put in a context that maybe we're moving away from that historical tradition, that the assumption is – and it may be a cynical one – there is not an applied honour, it has to be proven first instead. That's a 21st-century look at how we behave.

If we're to do this, let's look more closely at the issue at hand, and that is the offset of a financial penalty against a Member and, arguably, a tough one. I will not be one to say that is not a fair consideration, given the fact that there has to be an incentive to better behaviours. Let's be clear about this with each other: This will now be the new norm. We will be setting a precedent and a capacity that will forever guide this Legislature for all future events.

I listened very closely to the Member for Mount Pearl North talking about if you were to take this within a business context, that the penalty must meet some sort of – there has to be a direct correlation or a reasonable correlation that because we spent time in the House, because we argued this within the House, which is a cost measure, then there has to be a financial measure in reply for restitution. I have heard those words and I recognized them for what they were. I think it's something that's worth exploring, but in the next several hours we are going to make a decision. This will become the permanent format of our Westminster and it will be different than all other Westminster parliamentary democracies that I know of. With that said, change is good. Change should always be contemplated.

With that said, Mr. Speaker, let's contemplate what may be the potential in the future. The Member for Mount Pearl - Southlands may want to know this, because normally what would happen is that the majority would be put in check. The majority in a majority government would be put in check against imposing its will against the minority, the Opposition.

If we consider this to be the new norm, then a future majority government could very readily say, in response to an action or a debate on conduct of a Member of the Opposition, a future majority government could say this side of the House has determined that your behaviour is egregious and now I will impose – or this side of the House, whoever that may be – the penalty and we will be the judge, jury and prosecutor all at the same time. The penalty that we will impose may be quite dramatic. The restitution in a majority government, the opportunity to be able to impose a similar or reflective restitution, will not be held with the Opposition as holding of the minority of seats. So be careful would be my thoughts I'd say.

As a person who sat in Parliaments as a legislator for close to 24 years, one of the things that I've always understood is that the will of the majority should not be to the tyranny of the minority. What is established here today could be very precedent setting. I'm not saying it's the wrong thing, I just want a reflective debate on what it is we're about to do. If there were to come a time when a future majority government that's feeling very empowered, feeling very powerful, feeling very popular and an issue were to come forward, that maybe the Member for – an independent Member or a Member of a smaller party were to find themselves in a position where a disciplinary action would be taken, we now have basically no format, no procedure, no basis to be able to establish what that penalty may be.

So be careful. The tone and tenor of this decision here tonight may reflect other things. I could hypothetically argue, for example, that maybe down the road we will face situations in this Legislative Session which will be contentious.

I could imagine when the LeBlanc inquiry is rolled out there may be findings of fact that may

not necessarily be complementary to the good standing and popular sort of standing of political parties or individuals within legislatures. Of course, then we have a situation where we have to decide as to whether or not disciplinary action will be taken there.

Could a Parliament then turn around and say, maybe what the prescription is, is to simply say that while Members of that particular decision taken so long ago, maybe the Members weren't there – I just raise this as an example. Maybe there might be a resolution on the floor of the Assembly that says maybe what should happen in restitution is the party that took the decision so many years ago should have all of their research and caucus capabilities stripped from them as a punishment for that egregious behaviour.

These are the things we have to be very, very reflective of. Is that the kind of Legislature we want to have, where the will of the majority or the popular consensus – because if we talk about, as the Member for Mount Pearl North said, there has to be a financial reality that's put into check here and a check in the balance – but I can't think of a more egregious thing.

I'm arguing, I'm debating now – and people will want to challenge the debate. Yes, there were costs associated with some of this in terms of legislative sitting time, but I can't think of a higher cost than the \$12 billion that may come from a particular decision to which a Supreme Court justice is about to, in due time, at some point in time, is going to unveil a report on the findings of his inquiry, and it may not be very necessarily flattering. It may be very unflattering, which may then cause a situation where there may be a resolution on the floor.

So, with that said, I will be concluding up soon. I do want to say within that vein, that Members be reflective of the fact that what is a shield today may be a sword tomorrow. We have an honour among Members.

I would ask consideration, Mr. Speaker, of the following sub-amendment to the amendment to the resolution respecting the report of the Commissioner for Legislative Standards respecting the Member for St. Barbe - L'Anse aux Meadows.

Mr. Speaker, I move, seconded by the Minister of Health and Community Services, that the amendment to the resolution respecting the Member for St. Barbe - L'Anse aux Meadows be amended by deleting paragraph 2(e).

Mr. Speaker, seeing the time on the clock, I would love to espouse more on this because there is an important, important discussion to be had on this, but, unfortunately, it will not be able to be held within the context of this.

Be mindful Members; all be mindful, that which we do tonight or at some point in the future will be a shield or a sword that will be precedent setting for years to come, for Legislative Sessions to come, and if there is a situation where now today in a minority Parliament, bear in mind that in a future majority, where the rights and privileges of the minority are not necessarily as guaranteed, where the rights and privileges of the Opposition are not necessarily guaranteed, then we may find ourselves in a situation where this is –

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

**MR. BYRNE:** I'm sorry?

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

**MR. BYRNE:** Thank you.

The Speaker will guide me.

**MR. SPEAKER:** The Member has moved his amendment, so we're going to take some time to rule on this amendment.

I'm going to suggest to the House as well, that we might want to schedule a supper break now for half an hour so that we can enjoy the music of the Royal Newfoundland Regiment Band and the Holy Trinity Elementary class and watch Emma Clarke of Victoria light the lights outside.

So is that amenable to the House that we'll break until 6:30? We'll be back here at 6:30, by then I will rule on the sub-amendment moved by the Member.