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HANSARD

Speaker: Honourable Derek Bennett, MHA

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The House met at 1:30 p.m.

SPEAKER (Bennett): Order, please!

Admit strangers.

Before we begin this afternoon, in the public gallery I'd like to welcome students from Christian Home Educators of the Avalon.

Welcome.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Also in the public gallery, I'd like to welcome staff of VOWR radio station and family of the late Henry and Frances Pike. They are visiting us this afternoon for a Member's statement.

Welcome.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

SPEAKER: Today we'll hear statements by the Members for the Districts of Placentia-St. Mary's, Placentia West - Bellevue, St. George's - Humber, Bonavista and St. John's Centre.

The hon. the Member for Placentia - St. Mary's.

S. GAMBIN-WALSH: Speaker, Marina Power Gambin was born on May 13, 1947, in the community of Branch to Aggie Mooney and John Power, the second child of seven.

At the age of 17, upon completion of her Grade 11 and a six-week probationary course, she left to teach Grade 5 to 9, in a two-room school in Culls Harbour. In 1964, she met Pat Gambin, married him and they had their first child in 1967 and their second in 1968.

She completed her Bachelor of Education degree by attending summer school and

evening classes while teaching primary children full-time at St. Edward's School in Placentia.

In 2007 she published the book, *A Meadow in Time*, comprised of a collection of short stories and accounts of her life growing up in Branch in the 1950s and '60s. Many of her articles, stories and poems have been published in the *Downhome* magazine, *The Telegram* and *The Shoreline*.

In 1995, she retired from teaching at the age of 48. Her time is now spent volunteering with the ladies' hospital auxiliary, cheering for the Montreal Canadiens –

SOME HON. MEMBERS: Hear, hear!

S. GAMBIN-WALSH: – and walking every day.

Please join me as I wish my mother and all moms a Happy Mother's Day.

SOME HON. MEMBERS: Hear, hear!

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

J. DWYER: Thank you very much, Speaker.

Today, I stand in this hon. House to recognize the community-based organization Burin Peninsula Brighter Futures in the beautiful District of Placentia West-Bellevue.

Burin Peninsula Brighter Futures have been offering programs and services to the families on the Burin Peninsula since April of 1994 and are celebrating their 30th anniversary this year.

Through the family support facilitators and a volunteer board of directors, they are committed to support the health of families and children throughout the region. They work to provide a safe and welcoming environment, enriched learning experiences

through active engagement, information sharing and peer support.

They promote positive parent-child interactions and offer programs such as the Healthy Baby Club, Baby & Me, Basic Shelf, Small Wonders, the Clothing Exchange and the Lending Library. These programs are flexible to meet community needs and work in partnership with other community support services like Burin Peninsula Voice Against Violence.

I ask all hon. Members of the 50th General Assembly to join me in congratulating Burin Peninsula Brighter Futures on their 30 years of service and wish them many more years of helping build successful families.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

S. REID: Speaker, 100 years ago, Rachel Cavell McKay came into the world. I recently had an opportunity to wish her Happy Birthday and to learn more about her life.

Rachel is easy to talk to. She has an amazing wealth of knowledge and experiences to share. She is proud of her family. She has a kind heart, bright smile and a laugh that fills everyone around her with joy. She says the secret to a long and happy life is to not let your worries get you down.

After her first husband, Nelson, passed in 1968, Rachel still had children to raise so she had to make a living on her own. She planted vegetables, raised sheep, took in boarders, sewed clothes, sold knitted goods and worked at the Gilliam restaurant as a cook. It was tough going, but Rachel told me the hard work made her strong.

She later met Willie McKay through her involvement with the Royal Canadian Legion and married for the second time. Rachel is also a proud member of the Anglican Parish of Bay St. George and she received a 50-year service award from the ACW.

I ask all Members to join me in wishing Rachel McKay a very Happy 100th Birthday.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Speaker, the Cross of Valour is the highest civilian honour to recognize bravery in Canada. Today, I recognize two residents of the District of Bonavista, Mr. Martin Sceviour, who sadly passed in February of this year, and Mr. Harold Miller of Burgoyne's Cove.

The men were honoured in 1981 for saving the lives of 12 crewmen on a trawler trapped in strong seas, heavily iced over and in imminent danger of capsizing. This occurred in November of 1978, 13 kilometres from Nain, Labrador.

Responding to the call in their fishing vessel, they were unable to get close enough to the trawler due to the adverse weather and volunteered to man a six-metre motorboat. Battling 1.5-metre waves and high winds, these brave men made two nerve-racking trips from the rescue fishing boat to the trawler, having to constantly bail water from their own boat during the harrowing journey.

Amazingly, they rescued all 12 crew members. Unbelievably, Mr. Harold Miller, once again in 1987, entered the cold waters to rescue a fellow fisherman, receiving the Medal of Bravery in 1989.

I ask the Members of the 50th House of Assembly to join me in celebrating the courage and bravery of Martin Sceviour and Harold Miller of Burgoyne's Cove.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

VOWR, Newfoundland and Labrador's Pioneer Radio Station, celebrates 100 years of broadcasting on July 20. Owned by Wesley United Church on Patrick Street, VOWR is the longest running church-operated radio station in Canada and the longest running station in the province.

In 1933, the federal regulatory agency shut down all church-run radio stations in Canada, but Newfoundland was its own country. Fortunately, when Newfoundland joined Confederation, VOWR was able to maintain its licence.

VOWR grew out of Reverend J. G. Joyce's vision and interest in the evolving new radio industry. He could serve parishioners unable to attend church services and the community at large. The station was ecumenical in nature and shared its airtime with different denominations. It also broadcast public service announcements, news, personal messages to people in isolated communities and musical entertainment.

Thanks to the Internet, VOWR is able to broadcast to people around the world. Fifty dedicated volunteers keep Reverend Joyce's vision alive. The late Henry and Frances Pike dedicated 62 years to the station and Henry still hosted his own show at age 92.

Speaker, VOWR continues to serve the public. Please join me in congratulating VOWR on its centenary and wishing them another 100 years of broadcasting.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

SPEAKER: The hon. the Minister of Education.

K. HOWELL: Thank you.

Speaker, I rise in this hon. House to congratulate College of the North Atlantic for receiving their Silver Program Excellence Award for Early Childhood Education from Colleges and Institutes Canada.

These awards recognize and promote excellence within Canadian colleges and institutes, and highlight the role of institutions in social, cultural and economic development.

The College of the North Atlantic currently offers four programs in early childhood education, including a two-year diploma, an advanced diploma in administrative leadership, a four-year applied degree in early childhood education and – beginning in this September – an advanced diploma in early childhood education advanced studies in inclusive practice.

Speaker, there are currently more than 600 students enrolled in early childhood education programs at College of the North Atlantic. Once they finish their studies, those individuals will play a key role in providing high-quality early learning and child care throughout the province.

To meet the needs of families seeking child care, we need a sustainable early learning workforce. College of the North Atlantic is one institution training that workforce, and they are doing a fine job of it.

Speaker, I invite all hon. Members of this House of Assembly to join me in congratulating College of the North Atlantic

in receiving the Silver Program Excellence Award for Early Childhood education from Colleges and Institutes Canada.

Well done and well deserved.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

P. DINN: Speaker, I'd like to thank the minister for an advance copy of her statement.

I, along with my colleagues, congratulate College of the North Atlantic on receiving the Silver Program Excellence Award for Early Childhood Education – a fantastic achievement. I would also like to thank the early childhood educators currently working in our province and recognize those currently enrolled in the program.

Our children are our most valuable resource and early childhood education is crucial for cognitive, social and emotional development. Investing in early childhood education can help close the achievement gap and provide children with an equal opportunity to thrive in school and beyond.

However, this government's lack of planning has led to delays in early childhood centres opening across our province and families are left without essential child care services. Families with young children are paying the price.

This government's failure to prioritize and address these critical issues in a timely manner has had a detrimental effect on families, resulting in many having to leave the workforce, putting their careers on hold.

Speaker, this government must do better.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

Speaker, I thank the minister for an advance copy of the statement and join her in congratulating the College of the North Atlantic on its award.

We all win when our public colleges achieve national recognition, and we join the government in commending them for the award.

We call on this government, however, to provide more than words and platitudes to these 600 early childhood educator students by ensuring they are receiving good jobs, benefits and pensions so graduates can make ends meet and set down roots here instead of moving elsewhere.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Are there any further statements by ministers?

Oral Questions.

Oral Questions

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

T. WAKEHAM: Thank you, Speaker.

Speaker, residents of the province remained shocked at the bizarre circumstances that led to the discovery of the body of the missing trucker, Brian Lush.

I wanted to ask the Deputy Premier if any of her counterparts have reached out to their counterpart in Ontario to ensure that the family and friends of Mr. Lush get the answers they're looking for.

SPEAKER: The hon. the Minister of Tourism, Culture, Arts and Recreation.

S. CROCKER: Thank you, Mr. Speaker.

I appreciate the question from the Member opposite and the stress and our condolences to the family. I assure the Member opposite that I will speak to officials in the department and get that question answered for him as quickly as possible.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Again, Speaker, I want to thank the minister for the answer. It is extremely important now that the coroner's office is involved and the police investigation is over, that the family and friends do get those answers.

So can the minister provide a timeline as to when that might happen?

SPEAKER: The hon. the Minister of Tourism, Culture, Arts and Recreation.

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

I can't provide that timeline to the Member opposite at this very moment, but I will, as quickly as possible, hopefully sometime shortly after Question Period.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Thank you, Speaker.

In the absence of the Premier who we have learned is in Dubai and Europe, I'd ask the Deputy Premier to commit to keeping this legislation open to introduce and pass changes to the province's *Limitations Act*.

SPEAKER: Before we move to the response, I just want to remind Members we are not going to refer to Members that are

present or absent. It's a long-standing tradition and I will be ruling later on the point of order that was brought forward before.

The hon. the Deputy Premier.

S. COADY: Thank you very much, Speaker.

I think it's very important that we visited Dubai. I know that there has been much success in attracting world-class health professionals and I want to congratulate the Minister of Health as well as the Premier in doing that. I know that there were some 64 nurses from Dubai in various stages of application and coming forward through the immigration process.

SOME HON. MEMBERS: Hear, hear!

S. COADY: That is outstanding. I know the Minister of Justice and Public Safety has been speaking on the issue that the Member has raised. He has tabled legislation in this House and I know that he is anxious to bring it forward.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, I, once again, would ask: Will the Deputy Premier ensure that the *Limitations Act* is passed in this sitting of the House of Assembly?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Deputy Premier.

S. COADY: Thank you very much.

The Member opposite will note that the *Limitations Act* is now before the House. I know that the Member has tabled that legislation. The Minister of Justice and Public Safety has spoken to that legislation. I can say that the Minister of Justice and Public Safety is also responsible as House Leader, so the Member opposite will know

that, as House Leader, he will be responsible for bringing legislation forward and I know he is very concerned and committed to the *Limitations Act*.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, as the Deputy Premier, I would think that the decision would be made that this legislation will be brought forward and will be passed in this sitting of the House. I don't think we need to wait for the Minister of Justice to come forward to do that.

Recently I was in Baie Verte - Green Bay and I met an individual who has lived on their land for 53 years and have been trying to get title to this land. Speaker, this individual should not have to fight with the Liberal government to get title and ownership of their land.

So, again, I ask: Will the Deputy Premier commit to bringing forth Crown lands legislation and have it passed in this sitting of the House of Assembly?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

E. LOVELESS: Thank you, Mr. Speaker.

I don't know the individual case that he is referring to but if he brings it to my attention, I can certainly address it. But as we know, we've been doing due diligence around Crown lands. Yes, I was in the district as well and spoke to people about it. People are asking us a certain direction to go. We're listening to them, and legislation will be forthcoming, and I will be happy to bring it here and get feedback from all sides of the House.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, I am having a hard time getting a direct answer, so let me ask it once again.

Will Crown lands legislation be brought before the House and passed in this sitting of the Legislature, right now that we're in, right here in this session?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

E. LOVELESS: Mr. Speaker, I don't have control in terms of guaranteeing that it will pass, but I will be bringing it forward to this session of the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, I want to thank the minister for his answer and just to confirm that he is telling us that Crown lands legislation will be brought before the House at this session, to be passed?

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

E. LOVELESS: Again, in terms of passed, I don't have control of that, I say to the hon. Member; this House will determine that. But the intent is to bring it here to the House of Assembly, absolutely 100 per cent, in this session. Whatever we want to refer to it, as we're sitting here right now, will be brought to this House.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: I wonder if the minister can do that same thing then for the legislation on the statute of limitations and can he commit to doing that piece of legislation and having it debated and passed in the House of Assembly?

SPEAKER: The hon. the Minister of Tourism, Culture, Arts and Recreation.

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

I think the Deputy Premier was clear in her response about the importance of this piece of legislation. It sits on the Order Paper. As well, I think the Minister of Justice was quite clear last week, or the last time we were here in this place, that it was the number one priority for the Department of Justice and Public Safety at this time.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, there are lots of legislation on the Order Paper.

I simply ask: Yes or no?

SPEAKER: The hon. the Minister of Tourism, Culture, Arts and Recreation.

S. CROCKER: Mr. Speaker, as the hon. Member opposite would realize, there are many facets to producing a piece of legislation and getting a piece of legislation to the House and through the House. That, at the end of the day, remains with the call of the Government House Leader.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, again, harvesters in Baie Verte - Green Bay have raised concern about the upcoming caplin fishery. We all know the Liberal failure when it came to redfish and when it came to mackerel.

I ask the minister: Can you provide an update on the caplin fishery?

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

E. LOVELESS: Thank you, Mr. Speaker.

I disagree with the Member opposite in terms of saying it was a failure. Because we certainly supported the harvesters on the West Coast in terms of the red fishery.

SOME HON. MEMBERS: Hear, hear!

E. LOVELESS: And I've chatted with people in the district that you were in this week as well, I say to the Member opposite, Mr. Speaker. We've had good conversations with harvesters and while there are still a lot of challenges in the fisheries, harvesters are saying we're going in the right direction.

I will support, whether it's the caplin fishery or whatever fishery it is, to support harvesters and to support rural Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, as the minister said, they were all there to support after demonstrations (inaudible). Maybe if he had to commit to those commitments he made when he was talking to people all summer doing a photo op, we wouldn't have had people on the steps of Confederation Building.

SOME HON. MEMBERS: Hear, hear!

T. WAKEHAM: Now, Speaker, as the crab fishery is in high gear, labour unrest at several of our fish plants threatens to jeopardize the season. And again, we have a challenge on our hands.

Speaker, I'd ask the minister: What happens if harvesters have to tie up their boats because of this pending strike? And I would ask the minister: What communication exactly have you had with the processors and with the union about it?

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

E. LOVELESS: Thank you, Mr. Speaker.

I'll say to the Member opposite that I've had more communication than he has.

SOME HON. MEMBERS: Hear, hear!

E. LOVELESS: I'll say to him to address the preamble about the photo op: I can tell the Member opposite and tell you, Mr. Speaker, that when we were in here and when I was having serious conversations with ASP and FFAW with regard to the future and sustainable future for harvesters in this fishery he was out taking photos ops with the harvesters, vulnerable situation, just to up his political interests. Nothing to do with the harvesters.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, let me tell you again, if he had done his homework they wouldn't have been outside.

SOME HON. MEMBERS: Hear, hear!

T. WAKEHAM: It would've been settled long ago. They promised last year to settle it.

So again, I go back and ask the minister again: Have you had any discussions about this pending labour unrest with the plant workers and the processors?

SPEAKER: The hon. the Minister Responsible for Labour.

B. DAVIS: Mr. Speaker, I'm a bit perturbed by the question itself, because the premise is completely wrong. We're focused very heavily – heavily – on working with both parties, with conciliation officers, right from the beginning. They're still engaged. We're hopeful that a decision can be made, negotiated between the two parties. We're considerably involved in that. We're going to stay focused on that and we're not going to make politics of it.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

I remind the minister he's not the only one perturbed. Most of rural Newfoundland, especially Baie Verte -Green Bay, are really perturbed.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: Speaker, last week I was chatting with a number of residents in Baie Verte - Green Bay, especially La Scie, who have concerns over access to health care. Speaker, the simple need for stitches may result in hours of driving when a nurse practitioner in their own community could get them back up and running within an hour.

Why is this acceptable to this Liberal government?

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

T. OSBORNE: Thank you, Mr. Speaker.

We've announced Family Care Teams in that region in this year's budget, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

T. OSBORNE: Those Family Care Teams are going through the recruitment process by the health authority and as soon as we are able to recruit those individuals and secure space, Mr. Speaker, those Family Care Teams will be open.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

The same answer every day is recruitment and trying to get people. We got all these buildings – it is no good of announcing these building if you haven't got people to staff them.

Speaker, a person from La Scie who has to drive over an hour to Baie Verte just to find out the emergency room is on diversion or closed. Because of the Trudeau, Furey carbon tax, gas in rural areas is almost \$2 a litre. Seniors on those fixed incomes are finding it financially difficult to drive further and further to access basic health care.

Again, what are the folks in rural Newfoundland supposed to do, Minister?

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

T. OSBORNE: Thank you, Mr. Speaker.

I want to address the preamble, because we've been working hard, as has the health authority, on recruitment of health care professionals. Mr. Speaker, just to update the House, I know in Dubai there are 64 registered nurses who've accepted offers, a pharmacist from Dubai, an X-ray technician from Dubai.

From Saskatchewan, Mr. Speaker, the recruitment mission there, we have two physicians interested in coming to this province as well as a nurse practitioner. Ireland, we have four international medical graduates who've come here with a return in service, Mr. Speaker, once they finish their residency. We have a physician from Ireland who's come here; 341 registered nurses have accepted offers from India.

All of these people are now going through the recruitment process. I believe we are recruiting.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: I guess the premise of my question originally is the minister's avoided to answer the question. Why don't you just provide the nurse practitioner for the people to see, at least provide that much, because that's all they're really looking for. They have no health services, Minister.

Speaker, the Alberta government recently launched a new payment model that will allow nurse practitioners to set up their own practice and get paid directly by government.

Why can other provinces figure out how to pay nurse practitioners, yet, Minister, we cannot?

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

T. OSBORNE: Mr. Speaker, I know their Conservative partners in Alberta have done this. The reality is that is one province. I believe a second province may be looking at it. We are focused on recruitment for public health, for positions within the health authority, for positions within our Family Care Teams, Mr. Speaker. We are focused on recruiting and retaining our public service health care professionals.

SOME HON. MEMBERS: Hear, hear!

T. OSBORNE: I wonder did the Member speak to the Registered Nurses' Union about their stance on having private registered nurses?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Speaker, we care about the people in this province getting access to health care.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: If that means setting up a proper payment model for nurse practitioners to do that, we're all over it. We will make no apologies, Minister, for standing up for the people of this province.

SOME HON. MEMBERS: Hear, hear!

S. COADY: (Inaudible.)

B. PETTEN: We'll make no apologies, Deputy Premier.

The new payment model according to the Alberta government will add more health care capacity in communities across their province. Yet, here in our province many people are forced to pay out of pocket to access a nurse practitioner.

Speaker, why is the Liberal government refusing to allow nurse practitioners to bill government for patient visits?

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

T. OSBORNE: Mr. Speaker, I notice the Member is very focused on private health care with nurse practitioners, as Alberta has done. They also have private X-ray and private MRI. Is he just as interested in

private health care as the Alberta government is in that?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: There goes the minister with his low shots again.

SPEAKER: Order, please!

B. PETTEN: There goes the minister with his low blows again. That's not what I'm saying. Doctors bill the government, why can't a nurse practitioner bill the government?

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: At the end of the day, a doctor helps me or you and every other Newfoundlander and Labradorian get well, why can't a nurse practitioner do the same and bill the government, Minister, just like doctors do? What you're saying is not making sense.

SOME HON. MEMBERS: Hear, hear!

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

T. OSBORNE: What he's saying, Mr. Speaker, is privatization of health care like Alberta. What we're saying is we have an organized plan, a plan in place to have Family Care Teams throughout the province where the health authority controls where those Family Care Teams are so that we can ensure every individual in this province has access to primary care.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Just one for clarity, Minister. You're saying you're in favour of people

having to pay out of pocket to see a nurse practitioner in Newfoundland and Labrador.

Is that what you're telling the people of this province?

SOME HON. MEMBERS: Oh, oh!

B. PETTEN: We're only asking for the government to pay, just like the doctors pay.

Are you saying it's fine for people to pay out of pocket to see a nurse practitioner because that's what I'm hearing?

SPEAKER: The hon. the Minister of Health and Community services.

T. OSBORNE: What I'm saying and what he's saying, Mr. Speaker, are completely different things. He wants private health care; we want public health care. We want nurse practitioners working in the public system where they don't have to pay, where their services are covered.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

T. OSBORNE: We want nurse practitioners and other services within the public system, not private MRIs, not private X-rays, not private nurse practitioners, we need health professionals in the public system to ensure that every Newfoundlander and Labradorian has access to public health care.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Member for Bonavista.

C. PARDY: Mr. Speaker, that's one massive play on words – one massive play on words.

SOME HON. MEMBERS: Hear, hear!

C. PARDY: At the University of Toronto, the food insecurity policy research, their report in 2023 gave the percentage of people living in severely food-insecure households. The highest in the country was Newfoundland and Labrador at 8.7; lowest, Quebec. One in 10 children in our province live in poverty and one in five Inuit children, the highest in Canada.

I ask the Minister of CSSD: Will this budget move a significant percentage of our children out of poverty and what is the estimate?

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

P. PIKE: Mr. Speaker, we certainly appreciate the challenges that the high cost of living and inflationary pressures are having on families and individuals, especially those that are living in poverty. Helping lift children out of poverty is a key focus of our Poverty Reduction Plan. *Budget 2024* includes \$41 million in incremental investments for initiatives under our Poverty Reduction Plan.

SOME HON. MEMBERS: Hear, hear!

P. PIKE: Mr. Speaker, \$30 million is to increase the Newfoundland and Labrador Child Benefit by 300 per cent. That puts us the highest in Atlantic Canada and, also, only behind Quebec –

SPEAKER: Order, please!

The minister's time is expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Mr. Speaker, every time the government stands up and talks about addressing poverty, they'll talk what dollars they put out into something.

The question was simply: Will we see a significant percentage of our children, as far as being brought out of poverty with this budget, and what is this government's target for doing so? What number? What target?

SPEAKER: The hon. the Minister of Education.

SOME HON. MEMBERS: Hear, hear!

K. HOWELL: Speaker, I can't sit here any longer because I have good news to talk about as part of the *Budget 2024* in terms of how we are supporting children in our school systems.

We have allocated \$3 million to expand the school food program.

SOME HON. MEMBERS: Hear, hear!

K. HOWELL: What that will do is it will see children in our K-to-9 schools, first, be provided with a healthy meal throughout the day. We recognize that this is a big problem when we look at the availability of food for our families and productivity of students as it relates to their work in schools.

I've said it before, an empty belly has no ears. So if we're trying to educate our students –

SOME HON. MEMBERS: Oh, oh!

K. HOWELL: I'd like to give the answer if you could haul this crowd together long enough to let it go.

When we look at our children in our school systems, we most certainly do want to provide –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

K. HOWELL: – healthy meals for them so that this gives them the best opportunities.

We know education is a pathway out of poverty.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Mr. Speaker, for the viewers of the House of Assembly in Question Period today, it is clear that there isn't a plan. There is no target –

SOME HON. MEMBERS: Hear, hear!

C. PARDY: – to lift X number of students or children out of poverty. There is no number.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

C. PARDY: In the fall, we found out that more homeowners in Newfoundland and Labrador use food banks than anywhere else in Canada. In my home District of Bonavista, we saw an increase in January and February of 30 per cent over 2021.

Is this government's Poverty Reduction Plan going to significantly influence the need for food bank visits, and what, again, is your projection?

SPEAKER: The hon. the Deputy Premier.

S. COADY: Thank you very much.

Speaker, 160,000 people are supported through the Income Supplement and we've increased that by 15 per cent. We have some 50,000 seniors – 50,000 seniors have received the Seniors' Benefit and that has been increased 15 per cent. We have also introduced a \$10 million Seniors' Well-Being Plan. We have introduced, as ministers have already said, a Poverty Reduction Plan. We've introduced food in schools.

I say to the Member opposite, all of those things we're very focused on in this

government to make sure we lift people out of poverty. Our goal would be zero per cent in poverty.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: The government has no target at which they're going to lift people out of poverty. There is no target and no plan. It's an investment.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Member for Bonavista.

C. PARDY: Thank you, Mr. Speaker, and that's where we are.

Other provinces issued targets and they had benchmarks that we looked for and strived for. This government has none.

It is unacceptable that 20 per cent of children live in food-insecure homes; 25 per cent of kids under six.

Why aren't we having a more focused effort to bring our province's children out of poverty?

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

P. PIKE: Mr. Speaker, I don't think the hon. Member is listening to our plan. I really don't think he's listening.

SOME HON. MEMBERS: Hear, hear!

P. PIKE: One of the things that we're also doing, Mr. Speaker, is that we're talking about the Prenatal-Early Childhood program that we're also bringing forward. That will provide funding to a woman on low income during pregnancy and it will also increase the Child Benefit for ages one to five.

Now, that's a big-ticket item. It is something that was asked for, in our consultations, and that would make a real difference to families in this province.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Making a real difference – one question: How many children will be lifted out of poverty by this government with this budget? How many? What percentage?

SOME HON. MEMBERS: Hear, hear!

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

P. PIKE: Mr. Speaker, what they're asking for is the number of children in the province that will be lifted. We're streamlining and improving the Income Support Benefits program, Mr. Speaker, to allow greater flexibility and improved benefits for those support recipients. This is in addition to \$500 million to ease the pressures attached to the high cost of living, increases to income support and basic income support for youth, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

With the fire season upon us and fires raging in Western Canada, can the minister commit to a full complement of water bombers and pilots for this year's forest fire season?

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

E. LOVELESS: Thank you, Mr. Speaker.

A very important question as we see what's going on in the western part of this country right now. I certainly, even as early as this morning, had a discussion with staff and in terms of being prepared, whether it's water bombers that are being supplied through TI and staff, the leadership within the department has said: We are ready for the season.

We don't know the unknowns, but we feel, as a department, we are ready, from the human resources perspective and the asset perspective.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, it is crucial we have all the resources required in place for the worst-case scenario. There was an RFQ for the fifth water bomber.

Can the minister provide an update?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

J. ABBOTT: Speaker, thank you for the opportunity to respond.

Sir, building on the Minister of Fisheries, Forestry and Agriculture, we're working very closely with his department to make sure we are ready for the season, and we are. The planes are positioned where they need to be right now and they will move, if and when a fire presents itself.

When it comes to the fifth water bomber, we are still working through the tender results and then we'll be determining, in short order, when we'll award the contract to get that plane repaired.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

Speaker, on January 25, the Minister of Health took to media saying our call for an end date for travel nurses would be problematic and we, as a province, would lose out. Recently, NL Health Services has announced they will do what we've been calling for and set a sunset date on their overreliance on travel nurses.

Will this government direct NL Health Services to create a detailed plan, outlining how they will retain nurses and reduce the reliance on travel nurses to 60 without further burdening the health care workers?

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

T. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, one day the Member wants an end to travel nursing and now he's concerned that an end to travel nursing will create a burden on registered nurses. That's what this government and the health authorities have been saying, that the travel nurses were a necessary evil. We needed them to allow our very valued health care professionals to be able to have time off with their families or time off for family events or vacation or other issues. Also, to keep our emergency departments and our services operating.

I'm interested in seeing a return to pre-pandemic levels of agency nursing, Mr. Speaker. We've worked with the health authority. They've put a plan in place to phase out agency nurses. We stand by that plan. Recruitment is a large part of that. I outlined the numbers a little earlier today on some of the success in recruitment.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

The minister recognizes travel nurses as a necessary evil. What we are calling for, simply, is a plan. What everyone on this side has been calling for is a plan.

Speaker, we know that when a private nursing contract ended abruptly, nurses in this province were forced to work 20 hours straight.

I ask the Minister of Health: When can we expect to see the plan – the plan – tabled in this House to reach a target of 60 travel nurses in two years? Show us the plan.

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

T. OSBORNE: Thank you, Mr. Speaker.

I think Mr. Diamond, the CEO of the provincial health authority, went through that plan last week in a news conference. I'm pretty certain, as I heard it, he outlined a plan.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

I'm assuming it will be tabled here as well.

Speaker, I've spoken to workers at Iris Kirby House who tell me they have taken calls from women seeking refuge who have been physically assaulted at shelters. We know that some of these shelters are unsafe.

I ask the Minister of Housing: Would he provide the protocols, the policies, the actions his department uses to ensure the safety of residents in emergency shelters?

SPEAKER: The hon. the Minister of Housing.

F. HUTTON: Mr. Speaker, it is an unfortunate reality of our society that some people do have to seek emergency shelter because they are fleeing domestic violence or situations like that – very unfortunate. It is something that we take very seriously at Newfoundland and Labrador Housing Corporation. Our shelter line is in place. In any of our wait-lists, anybody who is fleeing a situation that is in any way related to domestic violence, they are put on priority.

There are places that sometimes are full, I guess, in some instances, and maybe we have to go outside of the transitional houses or the emergency shelters and use specific shelters. I can't speak to the case that specifically the Member opposite is referring to, but I'm happy to speak to him further after Question Period, Sir.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

The minister states the obvious. Again, no plan here or protocol, or procedures or anything in place.

Speaker, the *Newfoundland and Labrador Gazette* shows that the unauthorized use of government property regulations came into effect on Friday, May 3, the same day orange fences went up, followed by police and private contractors moving to remove tents from the grounds of the Colonial Building.

Will the Minister of Transportation and Infrastructure admit that his decision to remove the encampment was more to do with protecting property than people?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

J. ABBOTT: Speaker, thank you for the opportunity to respond.

I think the simple answer is that is definitely not the case. We are focused –

SOME HON. MEMBERS: Hear, hear!

J. ABBOTT: – and as I've said and my colleagues have said, the officials dealing with the issues around homelessness have said, the community has said, that we need to focus on the individual to make sure that their housing needs are addressed, and that's what we're doing.

When we looked at the tent encampment, we were of the view, unlike the Member opposite, that it is not, was not and would never be a safe place for anybody to live.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

Time for one question, no preamble, please.

J. DINN: Speaker, if this regulation was brought in, there might have been a few people on the other side who camped out here who would have been fined.

I ask the minister this: The fine for each breach of these regulations is \$500. How exactly does the minister plan to collect from people? Will it be reviving Victorian era solutions such as debtor prisons and workhouses maybe? How do you plan to get \$500 out of people who are already poverty stricken?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

J. ABBOTT: Again, Speaker, thank you for the opportunity to respond.

The Leader of the Third Party has certainly made an assumption that I haven't made, which is that those fines would actually be levied. Because we are working on the premise that if we work with the individuals they will not need to camp out on any public grounds and that will always be our focus.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The time for Oral Questions has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motions.

Notices of Motion

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I give notice that I will on tomorrow move, in accordance with Standing Order 11(1), that this House not adjourn at 5:30 p.m. on Tuesday, May 21, 2024.

SPEAKER: Further notices of motion?

The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I give notice that I will on tomorrow move the following motion, that notwithstanding Standing Order 63, this House shall not proceed with Private Members' Day on Wednesday, May 22, but shall instead meet at 2 p.m. on that day for Routine Proceedings and the conduct of Government Business and that, if not earlier adjourned, the Speaker shall then adjourn the House at midnight.

SPEAKER: Further notices of motion?

The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I give notice that I will on tomorrow move, in accordance with Standing Order 11(1), that this House not adjourn at 5:30 p.m. on Thursday, May 23, 2024.

SPEAKER: Further notices of motion?

The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

I move the following private Member's resolution. It will be seconded by the Member for Stephenville - Port au Port.

WHEREAS the wait-lists for mental health and addictions care are too long, even for youth in crisis; many not finding help are left with few alternatives; abuse of deadly drugs is worsening, particularly in Labrador; the fatal overdose rate is accelerating; the drug-related crime rate is accelerating; up to 87 per cent of inmates suffer from mental health or substance abuse issues, but many are released back into the community without proper treatment or support; there are too few options for drug detox and rehabilitation, too few drug-free shelters and too few options for families in crisis; police are seeing an alarming rise in the number of calls related to mental health crises and addictions and begging for more support; and the communities are afraid; and

WHEREAS the All-Party Committee on Mental Health, Substance Use and Addictions was announced September 1, 2023, to look at prevention, early intervention, treatment and support with an emphasis on youth and young adults, and the social determinants of health such as housing, poverty and education; yet, the Committee has seldom met since, and

some people with lived experience say they have not been properly included.

THEREFORE BE IT RESOLVED that this hon. House urge government to expedite the work of the All-Party Committee on Mental Health, Substance Abuse and Addictions and fully include people with lived experience, relevant government departments, professionals in health care, policing, justice, corrections, education and social work, community groups, Indigenous communities, faith groups and others who can provide insight to help address the wide array of challenges more effectively so everyone in need has somewhere to turn right away.

Thank you, Speaker.

SPEAKER: Are there any further notices of motion?

Answers to Questions for Which Notice has been Given.

Answers to Questions for which Notice has been Given

SPEAKER: The hon. the Deputy Premier.

S. COADY: Thank you very much.

During Question Period, the Member for Conception Bay South referred to the federal carbon tax and asked, pretty much, what the province is doing about that.

I will remind the Member that our provincial gas tax is now one of the lowest in the country at 7.5 cents, and I will further remind him that during the Conservative government up to 2015, the tax was 16.5 cents.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: That motion I just read in will be private Member's resolution, which will be debated by the Opposition on this coming Wednesday afternoon.

Thank you.

SPEAKER: Thank you.

Any further answers to questions for which notice has been given?

Petitions.

Petitions

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

E. JOYCE: Thank you, Mr. Speaker.

I'll read this petition.

We, the undersigned, call upon the House of Assembly to urge the government of Newfoundland and Labrador to: Amend the *Limitations Act* to remove limitation periods for civil child abuse claims where the abuse complained of occurred against a minor (a) within an intimate relationship; (b) within a relationship of dependency; or (c) where the defendant was in a position of trust or authority.

And amend the *Limitations Act* to state limitations periods do not run during any time a defendant (a) willfully conceals or misleads the claimant about essential elements of the claim – i.e., the fact that an injury, loss or damage has occurred, that it was caused by or contributed to by an omission or that the act or omission was that of the defendant; or (b) willfully misleads the claimant as to the appropriateness of a proceeding as a means of remedying the injury, loss or damage.

Mr. Speaker, I stand today and present that petition and ask the government for the legislation. Question Period is great to listen to when you follow it and know the rules. Under Question Period, from the Opposition Members, we asked for Crown lands legislation. The minister stood up, and give him credit, he stood up and said it will be

brought forth. The legislation will be brought forth.

P. LANE: This session.

E. JOYCE: This session, that was the minister.

When asked the question about the limitations, the Minister of Tourism, Culture, Arts and Recreation stood up and said, it's up to the Government House Leader, which it is not. Just that statement putting it all on the Government House Leader, it's not.

I know how it works. Cabinet makes the decision of what legislation is going to be brought to this House. So to take that question from the Leader of the Opposition about bringing the legislation in and saying it's up to the Government House Leader, it's just not and you know it's not. You know it's not, Minister.

So this is why I know it's discussed in Cabinet, what's the priority. If that's not a priority for this government, which the minister has said, the Minister of Justice and Public Safety said it's a priority. It's your priority but you won't bring it in is not true. It's actually not true. It's the Premier. The Premier of this province, in Cabinet, has the authority to say we want this done – we want it done.

So when one minister says I'm going to bring a piece of legislation from my department in, not asking the Government House Leader; when another minister says it's because it's an issue which is very decisive in this House and everybody is pushing to get it done; another minister saying it's up to the Government House Leader, when it's not.

I honestly believe that the Minister of Justice and Public Safety wants this brought in. I honestly believe that, I really do.

So I just say to the Premier, I don't know if the legislation is ready; if not, there's

already eight across Canada that's already done. It's not hard to take one and add things that's going to fit Newfoundland and Labrador.

I call upon the government to get this done, for God sake, before this House of Assembly adjourns.

SPEAKER: The Member's time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

Pre-pandemic, residents of the District of Bonavista could walk into the Bonavista hospital and take a number to wait to be called for lab work. The system worked well and the population were understanding that the pandemic negatively affected many services. Today, residents call into the call centre to book appointments and experience long waits to connect with the attendant. There is much frustration in this process.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to reinstate the walk-in service, or the booking, directly at the Bonavista hospital as it does in other hospitals. This would increase the efficiency of the department and reduce the frustration experienced by the residents of the region.

Watching today from Elliston is Pam Fleming and Scott Martin and if two of them wanted to book blood work, I would suggest by the stories and the reports from those in the district, it'll take upwards of three days, with much persistence, calling, trying to establish an appointment. The minister will stand and say we have to deal with cancellations. You know cancellations are affecting the broken system.

Imagine someone who wants to cancel their appointment is going to spend three days to cancel blood work at the Bonavista Hospital. They're not going to do it. Who would do that? Thus, we have a technician that would be waiting with a whole lot of missed appointments when they could be serving those people who've got a dire need to get their blood result.

I posted the last petition on my Facebook page, and I had numerous comments stated. But I want to read one which I think captures it really nicely. Listen to the rationale in this one: For those people that have to travel to see their doctor/nurse practitioner who requests blood work, they have double the travel costs as they now need to travel a separate day for their blood work."

They travel to Bonavista from Trinity, from Charleston only to find out that they need blood work. They go back home, they spend two to three days trying to connect to make an appointment, and then they have to go back. Some will have to take two days off work. Within the past, all they would have to do was walk into the lab.

The people who need the blood work are people who are often sick – non-routine blood work. Because of sickness or whatever other reason, people don't show up as stated to their scheduled appointments, thus leaving an empty slot that could've been filled by a walk-in.

I ask the minister: This is an operational issue; let's fix it for Bonavista.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

These are the reasons for this petition:

Route 10 on the Southern Avalon forms a large section of the Irish Loop. This is a significant piece of infrastructure and is the main highway along the Irish Loop. This highway plays a major role in the residential and commercial growth in our region as well.

Therefore, we petition the House of Assembly as follows: That immediate brush cutting is required on Route 10, Southern Shore Highway, as large sections of brush along the highway is a significant safety hazard for the high volume of travelling motorists who travel on this highway daily. This work is essential for the prevention of moose-vehicle accidents along Route 10.

Speaker, I've done this petition many times along the way, as the minister knows, before he even got here. We did some brush cutting in the area last year, but we are requesting that there be more done this year.

Just in the question, we submitted a list last year, once that's done, do they continue on with the list? Do you have to submit another list this year? They're some of the things – we can do that. But if they're going to pick off some areas, maybe that's something they should look at.

Along the route, there are large accumulations of brush from La Manche Park to Cape Broyle, from Aquaforte to Fermeuse, down in the Bay Bulls area as well along certain areas. The minister travels them as well when he comes back and forth. He lives in my district and he knows some of the areas as well. There are certainly places further up that he doesn't travel that are needed in that way.

This is the time of the year when the moose are out. We all know moose-vehicle accidents increase in May and June. This is when they're coming out of the woods. So in this time of the year, we should be getting on this and getting this stuff done for, not

only my district, every district and put a plan in place.

If you done La Manche up to Cape Broyle this year, in 10 years' time, you could do it again. It's about 10 years' time, probably, it might be grown back and it might not need to be done. But if you put it on a plan and put a scheduled maintenance, then I think it's something we could take care of for the whole province by doing it on a scheduled maintenance.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Transportation and Infrastructure for a response.

J. ABBOTT: Thank you, Speaker.

I will do anything to protect the moose from the Member. What we have done this year is we've increased the budget for brush cutting from \$2 million to \$4 million.

SOME HON. MEMBERS: Hear, hear!

J. ABBOTT: So the math will tell me we're going to get a lot more done and we'll be dealing with his district and every other district when it comes to brush cutting. We're working a plan as we speak.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

P. LANE: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to amend the *Limitations Act* to remove the limitation period for civil child abuse claims where the abuse complained of occurred against a minor; and

Amend the *Limitations Act* to state limitation periods do not run during any time the defendant willfully conceals or misleads the claimant about the essential elements of the claim; and willfully misleads the claimant as to the appropriateness of the proceedings as a means of remedying the injury, loss or damage.

The above-mentioned legislative changes should be retroactive and apply regardless of the expiry of any prevention limitation period.

Mr. Speaker, I had not intended on speaking this. As a matter of fact, the last day that I was going to speak to this, I had it out, and the Minister of Justice stood and tabled the legislation. I was very happy about that, as I am sure a lot of Members were. Took it and stuck it in my desk drawer and said okay, it's going to come before the House and we're going to get this thing done.

I don't know – I'm hoping that's still going to happen, but there is a question raised in my mind. My colleague, the Member for Humber - Bay of Islands, raised the same issue I did. I have been around politics now for many years, whenever there are any announcements, any interviews or answers in the House of Assembly, I am always listening intently to the words that are being used to answer questions. I am listening intently to the words that are not said and there is a stark difference in two questions that were asked here today.

There was one question asked about Crown lands. The minister stood to his feet, he said: Crown lands legislation will be debated this session. But we could not get anybody over there on that side to say that the *Limitations Act* would be debated this session. It got referred to the House Leader. It wasn't referred to the House Leader when it came to Crown lands, but it is referred to the House Leader all of a sudden when it comes to this.

That tells me either, (a), it's not going to be debated, or maybe, (b), what is going to be debated is not what we're hoping and anticipating, and that what would come before the House is not what Mr. Whalen and others are thinking is going to come before the House. It could be one or the other. It would not be the first time that there was legislation left on the Order Paper.

So it does concern me and, therefore, I'm going to have to start continuing to deliver these petitions until this session ends, until we see that legislation actually debated on the floor of this House.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Order, please!

Before we move to Orders of the Day, I would like to rule on the points of order raised by the Member for Humber - Bay of Islands and the Member for Mount Pearl - Southlands on April 30, 2024.

The matters were taken under advisement at the time. I've now had the opportunity to review *Hansard* and I note that the Minister of Transportation and Infrastructure during debate drew attention to the absence of Members during the delivery of the Budget Speech.

I concur with the Member for Humber - Bay of Islands that there is a well-established parliamentary convention regarding the mentioning or referring to a Member's presence in the House. I remind all Members that they should not refer to the absence or presence of a Member or minister in the Chamber.

With respect to attending House Proceedings virtually, I wish to take the opportunity to clarify Standing Order 9.1, which states as follows: "The House may meet in a hybrid of virtual and in-person proceedings and the Speaker, following

consultation with appropriate officials and the House Leaders, may determine if these proceedings are required." Therefore, a decision by a Member to watch proceedings of the House virtually is not in keeping with the Standing Orders.

Finally, the Member for Mount Pearl - Southlands raised a point of order stating that the Minister of Transportation inferred that he was lying. I reviewed *Hansard* and while I find no point of order, I encourage all Members to conduct themselves using order and decorum in this hon. House.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Order 10, second reading of Bill 62, An Act to Amend the Liquor Control Act and the Liquor Corporation Act.

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

S. COADY: Thank you, Speaker.

I move, seconded by the Deputy Government House Leader, that Bill 62, An Act to Amend the Liquor Control Act and the Liquor Corporation Act, be now read a second time.

SPEAKER: It is moved and seconded that Bill 62, An Act to Amend The Liquor Control Act and the Liquor Corporation Act, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Liquor Control Act and the Liquor Corporation Act." (Bill 62)

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

S. COADY: Thank you very much, Speaker.

Today we are introducing amendments to the *Liquor Control Act* and the *Liquor Corporation Act*, which govern the sale and handling of liquor. The *Liquor Control Act* and the *Liquor Corporation Act* will be modernized to reflect changes since their introduction nearly 50 years ago.

The purpose of the amendments is to modernize the legislation, which has remained substantially unchanged since its implementation in the 1960s. These recommendations of modernizing the legislation are aimed at strengthening regulatory oversight to ensure greater public safety through the provision of legal and socially responsible retailing of alcohol throughout the province.

The Newfoundland and Labrador Liquor Corporation, or NLC, is an independent Crown corporation governed by a board of directors appointed by the Lieutenant Governor in Council. We have a very strong board that is gone through the IAC, the Independent Appointments Commission, process and I have to say, Speaker, it's a very well-governed board of directors.

It is responsible for the importation, sale and distribution of beverage alcohol in Newfoundland and Labrador, as well as overseeing the sale and distribution of non-medical cannabis. NLC, Newfoundland and Labrador Liquor Corporation, returned a dividend of over – well, it was \$208 million in fiscal year '22-'23 to the provincial government and total net earnings for the year were \$201.2 million, the highest net earnings in NLC history.

NLC enforces regulation to over 1,300 restaurants, lounges and other licensees, as well as 55 licensed cannabis retailers across the province. It has been challenging for Newfoundland and Labrador Liquor Corporation to regulate a modern industry with dated laws.

The recommendations to modernizing, as I said, the legislation are aimed at strengthening our regulatory oversight. Amendments to the legislation include housekeeping, such as updating language, and making changes that will benefit the overall operations. Corresponding changes will be made in regulations to ensure consistency with the acts and statutes.

While the amendments look abundant, at first glance, please note that to make the necessary changes, entire sections are being repealed and replaced and moved, and in instances where we are moving and relocating, to provide better organization, consolidation and clarity within the legislation. So it looks like pretty thick and all-encompassing changes, but mostly it is these housekeeping and modernizing changes.

I'd like to highlight a few of the changes that are being undertaken to modernize the legislation. There are enhancements proposed to some enforcement provisions; the inclusion of telewarrants – it's very common today to have a telewarrant – will permit officers, which are Newfoundland and Labrador Liquor Corporation inspectors, the Royal Newfoundland Constabulary, the Royal Canadian Mounted Police, to obtain warrants outside of regular business hours. Very common today when enforcement of liquor legislation is primarily undertaken.

Inclusion of telewarrants is already permitted under the *Cannabis Control Act*. So it's already happening under the *Cannabis Control Act*, but because the legislation has not been modernized, it hasn't been so in today's legislation. So we want to modernize that.

Licensing provisions will be consolidated and streamlined; these provisions are currently scattered throughout the *Liquor Corporation Act*, the *Liquor Control Act*, they're in provisions, so we need to modernize, streamline and update. This exercise will result in overall reduction in the number of licensee classes that are required, because some of those licence classes are no longer relevant.

Proposed amendments include adding electronic records and video recordings; again, modernization, because this was passed 50 year ago when there weren't such electronic records and video recordings. We want to add that to the books and records that may be examined and seized, and electronic devices such as cell phones. These types of records would most likely have been included if they had existed at the time the act was initially passed.

Another recommended amendment is to change the offence of consumption in public to possession of opened alcohol in public. Members throughout the House have had concerns about this expressed. This change will allow officers to continue to use their discretion in the application of this provision but would permit them to act proactively to address a problematic situation.

It is proposed to update the licence application process to not require posting, for example, in a newspaper. If you go back 50 years ago, it was very commonplace to post in a newspaper. There are different methods to communicate to the public nowadays, including social media, and so we need to expand and change that process.

Current legislation provides for the Newfoundland and Labrador Liquor Corporation to issue identification cards for the verification of age. Now, I can't remember, in my lifetime, the Liquor Corporation actually having identification cards. They do not issue these ID cards for

many, many years. I can't remember it in my lifetime.

AN HON. MEMBER: You're not old enough.

S. COADY: Pardon me?

AN HON. MEMBER: You're not old enough.

S. COADY: I'm not old enough. I like that, thank you very much. Sadly, Speaker, I am.

The amendments propose removal of references to these ID cards because they're no longer relevant or issued and an addition of a provision that permits use of identification that is acceptable by the Newfoundland and Labrador Liquor Corporation Board such as a licence. Such identification would include passports, driver's licences from other jurisdictions or a military ID. Those are just some examples. As well, amendments were made throughout to incorporate gender-neutral language. Again, a modernization that is required.

Speaker, as I've mentioned, these are a few of the recommended changes to the *Liquor Control Act* and the *Liquor Corporation Act* and I welcome further discussion and debate as we work to modernize these pieces of legislation.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

It's certainly a great chance to get up and be able to speak to the *Liquor Control Act* as well. I listened to the briefing on Friday and just taking out one section and bringing in another is very confusing sitting down and listening to it and I said we'll get back and be able to have a look at it.

It's a big act, as she said, in changing it, but it's stuff that had to be done. Some of the stuff that was in there called conveyance now instead of vehicles and stuff like that. Removal of some licences that are not there anymore; examples: military messes, taverns, motels, all consolidated, which makes sense.

A number of licences which are reduced to definitions being removed or consolidated as well. The definition of alcohol is in there. The definition of peddling is being removed, as the minister said, because the offence to come under the general clause is now the act. Definition of an ID card, again, how will that portray and come out. I didn't have no idea about the ID card as well. I certainly didn't have one. You had to use your driver's licence as a way of asking for an ID. So some of that stuff certainly needed to be changed, no doubt.

There have been many changes in the act to streamline the definitions process and changes to fee structure. Such are, not limited to, removing the provisions of the ID card, changes to the consuming liquor in public and fines and stuff like that. Changes to allow inspectors to approve electronically versus paper. I think that's a way forward and that's just the way society is now, to be able to do applications online instead of having to show up in person and trying to read through a lot of the regulations. Like I said, records can now officially include electronic records rather than showing up, which is great.

Increasing the penalties and fines. When they go through them, we have some questions when we get in there: driving with open alcohol is \$150. Hopefully, people are not doing that. Obviously, they are issuing tickets so they are doing it, so increase the fines may deter it a bit more. I don't see anything wrong with that. I mean, yes, you're going to pay the piper if you're going drinking and that's the way it should be. It should not be happening in this day and age.

It is the same as drinking and driving. With all the education that is out there and everything that is happening, people still continue to do that, which is mind blowing in my mind. It is just unbelievable that they would do, but it does happen and hopefully these fines will deter some of this stuff from happening.

When we get into questions, we have a good many questions that we will ask, but I look forward to this piece of legislation and we certainly support it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

P. LANE: Thank you, Mr. Speaker.

I'm not going to take a long time here to go through this. I have had a look through the legislation. As the minister said, we're basically just modernizing a couple pieces of legislation that we have here, providing some more clarity, some definitions and so on. I don't see any big issues here that I would have any concerns about.

I will just take the opportunity, however, while I'm on my feet, just to reiterate my point around the Liquor Corporation, no different than any other government agency, board and commission and so on. I really word like to see a process where we would have the Liquor Corporation, as an example, would be able to come before this House of Assembly and we could start questioning them on how they are spending money.

Yes, they bring in profits to the province, but maybe they could be bringing in more. Maybe they could be cutting back on expenses. Who knows. The point is, we don't know. All we know is the money that shows up from the NLC and that there is an NLC. We know what we see, no different

than the general public. But we really have no idea in this House of Assembly, as it relates to the general operations of the NLC and exactly where public money is being spent. That is something that needs to change.

Thank you.

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

J. DWYER: Thank you, Speaker.

It's always a pleasure to rise on my feet and represent the people of Placentia West - Bellevue.

The bill to amend the *Liquor Control Act* and the *Liquor Corporation Act*, while we understand, yes, there are profits and they are increasing year over year, because I think it was just in the recent past that we were seeing our profit margin right at about \$150 million per year. Now we're gone to \$200 million, but I think we all know the reason that we increased that \$50 million. The problem with this legislation that was presented to us, cannabis is not mentioned in there anywhere.

S. COADY: No, separate act.

J. DWYER: Well, when we're doing this and we're doing the *Liquor Control Act* and we're talking about amending the corporation that runs our cannabis retailers, then maybe that's legislation that we can visit here in the House as well, because, right now, the issue with cannabis is the retailers.

The fact that the model is out there, there is a four-tier model, but we're not really exploring the top three tiers. We're only looking at stuff going into gas stations and almost like an agency store for the Liquor Corp. So like I said, I don't think that model is necessarily going to work on the cannabis side because there's no real control for it.

With that being said, we have an opportunity here to really bring more profits forward, if we do it the right way. I would love to see that legislation come to the table because the biggest thing is enforcement. While we want to enforce the consumption of alcohol in public, there's nothing there to say about the black market when it comes to cannabis.

That's where we want to see legislation brought in, it's because that enforcement needs to happen in partnership with the federal government. Even if it's about having dogs at Canada Post, that might help with the enforcement as well, because right now we have great producers and we have great retailers and that in our province that are providing the service that became legal not too long ago, 2016, I believe.

Like I said, it's something that we're seven or eight years into it now and it has kind of been a little bit hush. So I'd like to see some legislation come to floor so we can debate that and really understand how we can profit from the cannabis industry, but also make sure that it's safe for our residents to consume it.

I would understand that to be the modernization. I know it's a fairly new market, but I think that it's time that we bring it to the floor of the House of Assembly and make sure that we can debate it and make sure that we're going about this the right way, because, while we can't live in the past, we have to learn from our mistakes. I want to make sure that we're going down the right path with this and making sure that it's a benefit to the province, it's a benefit to the people of the province, it's self-governing. But, again, I do believe that we should be able to ask questions of all agencies, boards and commissions as well.

With that being said, I agree with the things that are being brought forward here with the *Liquor Control Act* and especially about the telewarrants because that's a very important piece because not always is there a judge

available on a Saturday night at 12:30, type of thing. So I do agree with that.

I think the enforcement officers are doing a great job in our liquor establishments, but we want to also be able to keep the people safe who work in our liquor stores because as we know when the cost of living goes up and people are out of touch with being able to survive, a lot of times they turn to alcohol and if they can't afford it then they're probably going to go in and try and pilfer it. The thing is, we have to make sure that we're keeping our staff safe, but we don't have to over manage the Liquor Corporation either, because like I said, I think more retailers actually on the floor to help the customers is probably more of what's needed than to always go into a liquor store and see three or four sat up behind the glass barking orders.

But with that being said, it's nice to see that the Liquor Corp. is still profiting, but we kind of can't really pat ourselves on the back too much because it's obviously something that's not always positive in society, but when it's bringing in profits, it is a good thing. Again, we have to make sure that enforcement and the overall look of the Liquor Corp. is being take care of.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Seeing no other speakers, if the Minister of Finance and President of Treasury speaks now, she will close debate.

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

S. COADY: Thank you.

I appreciate the Member for District of Ferryland, the Member for the District of Mount Pearl - Southlands and the Member for the District of Placentia West - Bellevue entering into debate.

I will say to my colleague, the Member for the District of Placentia West- Bellevue, there is indeed a separate act called the *Cannabis Act* that was debated before this House in recent times and that will be under review and will be brought back to this House of Assembly, so it is under active review right now. That will come back to the House of Assembly if there are changes that have been brought forward as we look at that legislation.

As Members of the House have pointed out, this really is, I'm going to call it, a housekeeping kind of modernization, really looking at the evolution of the law, if I can use that term. I loved it when it was said to me: the evolution of the law.

Because things have changed in the last 50 years. As the Member opposite just referred to telewarrants for example, and the use of cellphones weren't something 50 years ago. As we move forward, today, I look forward to questions. It is a thick piece of legislation but, again, mostly because we are changing things from one act, modernizing, improving language.

With that, Speaker, I'll take my seat and we can move into Committee.

Thank you.

SPEAKER: Is the House ready for the question?

The motion is that Bill 62 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

TABLE OFFICER (Russell): A bill, An Act to Amend the Liquor Control Act and the Liquor Corporation Act. (Bill 62)

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

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

L. DEMPSTER: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Amend the Liquor Control Act and the Liquor Corporation Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 62)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move that this House do now resolve itself into a Committee of the Whole to consider Bill 62, An Act to Amend the Liquor Control Act and the Liquor Corporation Act.

SPEAKER: And a seconder, please?

L. DEMPSTER: Seconded by the Deputy Premier and Minister of Finance.

Thank you.

SPEAKER: Thank you.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against?

Motion carried.

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

Committee of the Whole

CHAIR (Trimper): Order, please!

The Committee of the Whole is now considering Bill 62, An Act to Amend the Amend the Liquor Control Act and the Liquor Corporation Act.

A bill, "An Act to Amend the Amend the Liquor Control Act and the Liquor Corporation Act." (Bill 62)

TABLE OFFICER: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Chair.

I don't have these broken out in sections. This might not help us, but I'll start with the first one and see where we go with it.

A piece of identification will be accepted.

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

S. COADY: Okay.

This could get tricky because it is a big act, but I will say, in general, the policy will be around passports, licences. I think I also mentioned military ID. But predominantly, it will be your driver's licence. It could be from Newfoundland and Labrador or, of course, anywhere in the country. But that's the predominant three pieces. It'll be in policy. But generally, it's your driver's licence.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Most provinces scan your provincial ID when entering a bar so that the fake IDs can't be used. Will this be harder to control for us here?

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

S. COADY: I'm sorry, you said most scan your –

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Most scan your ID when you're going in, yeah.

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

S. COADY: Okay, I'm not familiar with that. It will be something that I'll wait for my officials to see if that is something that is under consideration by the NLC. It would take a modernization, of course, of the licence itself. So we'll have to take that away and considerate it.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you.

Just will it make it easier or be harder for people under age to enter? So that was just the general question.

How will these amendments and regulation changes to marketing and promotion affect small businesses, sports teams who rely on promotion and sponsorships for some businesses?

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

S. COADY: Sorry, I'm having some challenges because I don't even know what section of the act – do you know what section that is in?

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: No.

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

S. COADY: I would say to the Member opposite that what we're trying to do is just modernize and ensure that we're aligned with the – we do have a Provincial Alcohol Action Plan. We're trying to align some of what we're trying to achieve with – I'm going to show a copy of it – the Provincial Alcohol Action Plan. We want to make sure that we are aligned in our thinking around that.

I would assume that it would have very limited impact. But it would be something that I'll certainly await for my officials to see if there's anything there that I need to be – I just need the section of the act.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: That's fine. I mean, listen, if it's in different sections then I certainly appreciate it. If your officials get back to you, then at least we'll get the right answer and you'll be able to report back, so that's perfect.

When will the marketing and promotion amendments be introduced and when will they come into effect?

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

S. COADY: Again, they'll come into effect upon approval of this House of Assembly. We'll certainly move forward then with the regulations. Once we have the legislative authority under the act, we'll certainly move forward and take it then to the regulation stage and then for introduction.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: How will the changes to the regulations regarding the offence of what was called consumption of alcohol in

public to possession of alcohol in public affect policing?

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

S. COADY: That's what we're trying to do here – I'm sure the Member opposite is aware that currently in the legislation a police officer would have to actually see someone consume the alcohol. Sometimes when people are imbibing in the public, they have it in their hand, but if they were carrying it in their hand, the police had no reason to interrupt or ask them to not do so.

So we've moved it from the actual physical consumption of it to the possession of it so that police could, as required, intervene. That is something that we've heard around the province is a concern for people, especially in events or in community festivals. It's not necessarily to do more; it's to be able to stop the process if required.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Chair.

In regard to open liquor – these are some of the questions that people are putting back to you – if somebody is coming back from a cabin and have a bottle of rum that's open from the weekend and there are a couple of drinks gone out of it and it's in your vehicle, is that considered open?

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

S. COADY: I would think that that's the *Highway Traffic Act*, not necessarily the *Liquor Control Act*. I would think that that would be something under the *Highway Traffic Act* more so than the *Liquor Control Act*.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: What if you're driving along and you have, say, two cans of beer

in a case or in your bag, not open now, two cans that are actually there; is that considered – again, it might be the *Highway Traffic Act*, but just trying to clarify for the people that are asking.

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

S. COADY: The only thing I can say is I will go take that back, but it is under the *Highway Traffic Act* versus the Newfoundland and Labrador *Liquor Corporation Act* that that would be controlled.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Will the changes under section 89 allow for inspectors and law enforcement to obtain a warrant outside the traditional hours of court when needed via a phone, fax or other means of communication?

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

S. COADY: I'm sorry, I didn't hear your question.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Will the changes under section 89 allow for inspectors or law enforcement to obtain a warrant outside the traditional hours of court when needed via a telephone, fax or other means of communication?

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

S. COADY: Section 89?

CHAIR: I don't even see section 89.

S. COADY: I'm sorry, I'm trying to find the clauses.

I don't have a clause 89, so I will say that, yes –

CHAIR: Section 49, we think the Member is referring to.

S. COADY: Section 49. Okay, just let me go to 49.

Unfortunately, it is confusing because there are so many different clauses, but I will say to the Member, the idea here is that we can have access, and that's the telewarrants situation that I spoke of earlier, to allow liquor control inspectors to have access, if they require it. As you can appreciate, most of these licensees are open during late hours and on the weekends to now being able to access, to allow them to have the warrants.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Minister.

I'll go to the next question, but in dealing with – on Friday when we had the correspondence, I will say, this is me, personally, most legislation – I was in Service NL before – you have months to prepare this legislation, and nothing against the minister or any ministers, we have two days to find out and go through it. You have months to prepare.

If we get in government, I'm hoping we're going to give everybody at least a week to be able to do it, that's just my opinion, but I'm certainly going to speak to this side here, that we would give people an opportunity –

SOME HON. MEMBERS: Hear, hear!

L. O'DRISCOLL: I'm not saying we didn't have an opportunity, it's Friday morning, but it's a big piece of legislation, as you know, and trying to find answers is not easy. We have to ask these questions. I just feel that we don't get enough time on legislation, not only this piece, every piece that comes in

here, unless they're just changing some wording, we don't get a lot of time to research it and do it and get into it. That's just my opinion on it, but it's something I think we should be looking at as a government as a whole, 40 Members, everybody get the right to be able to spend more time and get more up on the act. As you said, this is a huge piece of changing and certainly something we should look at.

Can you help clarify what defines open liquor in a vehicle now? As I said, would an open box with no stoppers removed be consumption from the vehicle?

CHAIR: The hon. the Minister of Finance.

S. COADY: Sorry, to address your current concern about not having enough time, I would have been happy to work all weekend with you, if that – so if you ever receive a piece – sorry, I'm not supposed to address Members of the House of Assembly. If anyone ever needs additional time, I'm certainly, for my legislation, very happy to provide it.

At any time, if a Member of this House of Assembly has any questions, concerns, needs additional time, I would ask that just come to me and I'd be happy to work with them on ensuring that they have the information.

To answer your second part of your question, though, there are no changes related to having or carrying open liquor in a vehicle, not under this act. There are no amendments related to having open liquor in vehicles related to this act.

What we're talking about for this act is if you're at a festival, for example, or down on George Street or if you're out and about with alcohol, then the police, instead of observing you drink the alcohol, they can observe you holding onto the open liquor and they can approach you. That would obviously be under the discretion of the police. It would depend on the

circumstances, but oftentimes when they're in a circumstance where they see someone who might be openly consuming liquor, might be inebriated, they can't approach them because they haven't seen them, actually, physically consume it.

So the only change in this act is that. So if you're in an open environment – if you're down on the – you know how we have the Pedestrian Mall now in downtown St. John's, if we have someone at the Pedestrian Mall who's consuming alcohol, this would allow the police officer to approach you, rather than have to physically watch you drink alcohol, they can now approach you and say, if it is indeed inappropriate.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you.

Videos used in inspecting establishments: Are they limited to videos actually recorded by the inspector or can they use videos off social media platforms? That's a pretty important question I would think.

CHAIR: The hon. the Minister of Finance.

S. COADY: Allow me to get clarification on that.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: When can we expect a new regulation around this, what is now considered, alcohol beverages? When is that coming into effect? When can we expect the new regulations?

CHAIR: The hon. the Minister of Finance.

S. COADY: After the legislation passes this House, the regulations will be developed based on the legislation itself, so you can't get ahead of yourselves here. So it will be based on the legislation itself. I would imagine, over the next number of months, they'll be reviewing and completing the

regulations and bringing them forward based on the legislation.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: When it's finished in regulations, do we get to have a look at that before it's actually done? No. That's what I thought. We ran into that in another piece of legislation.

Will this new legislation require an additional hiring of additional inspectors?

CHAIR: The hon. the Minister of Finance.

S. COADY: In answer to the question you asked earlier, this info is obtained only from licensees, on-premises cameras, for example. I don't think they can use social media, but they can use the cameras that are on premises. I'll confirm on the social media side.

Your regulations can only be based on your legislation so that's the framework. The legislation is your framework. I'll give you an example. Certain classifications of licensees have changed. There used to be a waiter licence, for example. That doesn't exist anymore, but it still exists in legislation. So it is important to have the controls and parameters by which you operate in legislation and then your regulations falling from that, so they can be changed and modernized as required.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Can we get a definition of open liquor versus drinking in public? Open liquor compared to drinking in public: What is the difference?

CHAIR: The hon. the Minister of Finance.

S. COADY: Up until this point, under the current existing legislation, the officer would have to actually physically watch you consume the liquor. So you would have to have an open beer and you would have to

openly drink it, but if you just had an open bottle of beer in your hand and he or she didn't watch you consume it, they wouldn't approach you. So it is the actual physical act of consuming it.

I will also say that, apparently, we can use social media, if it is public, it is okay to be used. I just wanted to confirm that for you.

I think I've answered your questions, I just wanted to check.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you.

I've got questions coming into me as well and I appreciate that, too, because sometimes if you don't have the answer, it is better to say you don't have it, then come back and give me the right answer. So that's perfect. I'm good with that.

Page 7 says camp or trailer on private ground, how about having a beer in Pippy Park, as an example? That's in a campground.

CHAIR: The hon. the Minister of Finance.

S. COADY: I want to say I do have officials listening in so if there is anything that – because we're going back and forth rather fluidly, I do have officials listening in and can point out as required.

Open liquor, again, I don't want to start getting into defining when the police would interject and how they would interject, that's up to a police officer. What the change is, is that they don't have to physically see you drinking it. They may approach you.

I don't want to say when they'll approach you or how they'll approach you, but they will use their good discretion, as they would today. If you were inebriated, for example, at a park and they needed to approach you because they've had multiple complaints or there's a serious safety issue, they wouldn't

have to wait for you to put the beer bottle to your lips; they could approach you before that.

I think, for safety and security reasons, that's important, but again, police would use their good discretion and make sure that they are exercising what I would say the norm would be. Right now – and you've heard this as much as I've heard this – sometimes they can't approach someone because they haven't seen them physically consume it.

CHAIR: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, again.

In the legislation it shows roads, lanes and highways. I just want to make sure that we add trails in here as well. We have snowmobile trails and ATV trails. So now, we're doing legislation, if something needs to be added there for that, then maybe that's a good time to put that to your people and check it out.

Thank you.

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

S. COADY: Thank you, we're getting a workout here standing and sitting. I know we could sit but I'm enjoying the physical activity but happy to have you sit if you wish.

I'm going to say that a campground site – I'm just going to go back to that one before I get into the trails – is your own space and you have a right to privacy. So I want to make sure that I covered that off in talking about when or when not a police officer can approach you.

Trails are interesting; it's not specifically included. So we're going to go check and we're going to consider that and how we would consider that in regulations, that trails

are not specifically included. But it is something that's important.

CHAIR: Any further speakers?

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

J. DINN: Thank you, Chair.

I'll start with the consumption of open liquor in a public space. Rivers and ponds – all you have to do is go along any pond and you'll see the beer cans and so on and so forth. So if someone is out fishing, whatever else, hot day, I'm just wondering, what would that mean for these people?

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

S. COADY: Well, as I just alluded to, we haven't really considered trails per se. So that would be something that we'll take away for that, but I'm hearing from Newfoundland and Labrador Liquor Corporation, that's considered a public roadway, a trail is, so those would be considered.

But again, this is to give police the discretion. Depending on where you are, you may be able to consume because there is – this is to give police officers the opportunity to approach you. If you were in, as I use the expression, a public place, and you were inebriated, right now a police officer cannot approach you unless they actually observe you drinking it, even though you're inebriated, even though you're causing public nuisance or safety concerns.

So this is now allowing a police officer to actually be able to go up and approach you and make sure that you're safe. I'm not saying you. I mean the general public is safe, making sure that the person is safe and making sure they don't have to physically observe you. They're observing you with a bottle of liquor or a can of beer and being able to have that discretion.

CHAIR: The hon. the Member for Ferryland.

Oh, I'm sorry – St. John's Centre. It's a habit.

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

J. DINN: Thank you, Chair.

I taught half of my career up there, so it's very much a part of who I am.

With regard to having that beer on a hot day on the side of a river or whatever else, would the enforcement officers have the ability then to enforce or to report to police?

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

S. COADY: We don't have the depth of enforcement officers. The enforcement officers are more inspecting and working with licensees. I think I told you there are like 1,000 or 1,200 of them. They would be focused on the licensees. The RNC, the Royal Newfoundland Constabulary, the Royal Canadian Mounted Police, obviously, are consumed with public safety, but it is allowing them to go ahead and approach.

Now, I do want to say that the difference in consumption versus possession is sort of like we have today. It's not a big change in that rule.

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

J. DINN: Thank you, Chair.

With regard to – and I think it's touched on with trails and so on and so forth, but let's say with hunting season and having open liquor or whatever. You may not be riding. You may be walking, but I'm just wondering what the effects would be. Same thing?

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

S. COADY: I would say it will be the same as what you have today. The only change is the visual clue of seeing you drink versus holding it in your hand. It's the same as it would be today.

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

J. DINN: Thank you, Chair.

I know it talks about replacing motor vehicle, all-terrain vehicle and so on and so forth with conveyance. So what else would be included with that? I guess it's trying to be a catch-all. I'm trying to think, and if I may, Chair, in terms of, like, a bicycle, non-motorized vehicles, canoe and so on and so forth. Is that what we're talking about?

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

S. COADY: I think you're exactly right.

I mean, if you go back 50 years ago, they would not have had motorized bicycles at that point in time. There could be hoverboards in the future, for example, so it is to try and just do a catch-all rather than naming all-terrain vehicles, Ski-Doos and so on. It's the conveyance.

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

J. DINN: If I can clarify – and I probably already know the answer, but I've got to ask you. So it would also include – like, a number of operations have horseback riding, anything to do with animal-powered sleds or anything like that, it would fall under that, I assume.

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

S. COADY: That's a very good question. I would assume so, but I will check on that to confirm.

I would be concerned honestly about the protection of the animal. You know, if you were inebriated on a horse, I would be concerned that that would be covered under some other acts or other legislation as well.

But again, it's the visual, I can see you drinking it versus I can see you holding it in your hand, the open liquor, and I'm observing that you're inebriated, for example.

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

J. DINN: In clause 20, Chair, the bill adds section 53.1 to the *Liquor Control Act*, which requires marketing, advertising, sponsorship and promotions related to liquor to follow requirements set in the regulations.

This is a new component of the legislation. We're just wondering what provoked or caused the addition of this section and what issues are government hoping to address or prevent?

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

S. COADY: The Alcohol Action Plan, as I mentioned earlier. So the Province of Newfoundland and Labrador has an Alcohol Action Plan, and we're trying to be consistent with the Alcohol Action Plan. As we progress with the Alcohol Action Plan, we want to make sure that we have it covered. That is the purpose of that particular section, clause 20.

It's a new provision requiring marketing, advertising, sponsorships and promotions related to liquor be in the requirements in the regulations, so we'll monitor as we develop as a province and as things develop under the Alcohol Action Plan, whether or not we need something in the regulations.

So we'll consult with Health, for example. We'll consult with others as to what would be appropriate for the regulations.

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

J. DINN: Just when it comes to promotion of local products, whether it's a distillery, breweries, wineries and so on and so forth, what is the role of the Newfoundland and Labrador Liquor Corporation in promoting local products and making sure that they have a fair share of the market?

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

S. COADY: I always think that the Newfoundland and Labrador Liquor Corporation should be cognizant and aware of local products. I know that they work very closely with industry, but it is a regulated industry, so they have to make sure that they are respectful of a regulated environment. I know that they do work closely with local industry, making sure that they have product and space for product within their stores, but, again, it is a regulated industry.

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

J. DINN: I've heard from a few, I guess, smaller businesses, the microbreweries, that, in many ways, the NLC will cater to the larger businesses from outside the province, but it's something that has been brought up, Chair.

Clause 62 of the bill updates the fines and imprisonment structure of the *Liquor Control Act* for people caught purchasing, possessing, acquiring, transporting, storing or selling contraband. The difference between the act and Bill 62 as outlined – we can look at an outline below that I have here – depending on how the imprisonment sentences are interpreted, individuals could be sentenced up to two extra years

imprisonment. From a harm reduction standpoint, increasing prison time of individuals purchasing contraband liquor could be detrimental. So maybe not the ones selling it but those who are purchasing it.

Do the changes to this section then, from the discussion of your department with other departments and agencies, increase the potential of prison sentences people could face under this act? Could an individual convicted of a third contraband offence go to jail for 4½ years?

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

S. COADY: Thank you very much.

There are no changes to imprisonment under this section, it's only the fines that are changing.

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

J. DINN: Thank you.

Clause 81 of the bill adds section 38.1 to the *Liquor Corporation Act*, which requires non-NL Liquor Corporation vendors to pay a prescribed amount to the corporation to account for profits the corporation would have made had they sold the alcohol themselves.

During the technical briefing, department staff mentioned this section was previously included in the act and was repealed. Now it seems we're putting it back. We haven't been able to locate a copy of the *Liquor Corporation Act* old enough to locate the previous iteration of this section. I suspect it was previously section 39, which was repealed in 1996.

So the question is: What is the rationale for why this section is being reinstated and what has changed since it was removed?

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

S. COADY: Thank you very much.

I think you're referring to clause 80 and the *Liquor Corporation Act* it's 38(1). I'm just trying to figure out where you are. Clause 80 – *Liquor Corporation Act*, section 38. It's just moved from 38 to 38(1), okay.

So the purpose is, this clarifies that alcoholic liquor produced by all licensed manufacturers must be sold in containers in compliance with the laws of Canada and is approved by the corporation. It currently only states brewers. Okay, so it currently only states brewers, but we're saying that it must be sold in containers in compliance with the laws of Canada and as approved by the corporation. We're expanding it. And (2) all licensed manufacturers are subject to the penalty for contravention. It repeals provisions related to the gross profit markup, 38.1. It's housekeeping.

I'm just looking here now, 38.1 is the new clause. So 38.1 is the new provision to retain the repealed gross profit provisions. So 38 is now 38.1 and it clarifies that the board may set the gross profit markup and that different rates may be set for different types or classes of alcohol or based upon different production volumes; (2) maintains that a brewer must remit the gross markup on a beer that is delivered by the brewer; and (3) retains – this is unchanged – the penalty for contravention. So it's taking it from 38 and putting it to 38.1. It's a housekeeping change, apparently.

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

J. DINN: That's it for questions, but I would like to echo what my colleague from Ferryland referenced about the amount of time to prepare for a large – and I understand, yes, being able to make contact during the weekend is a generous offer. I won't put words into the Member's mouth,

but I will say that, I think, in many ways, it wouldn't hurt to have these well in advance, even at the beginning, so that we have a time to research and when we go to a technical briefing, there's an opportunity to ask some specific questions.

I think that's what the Member was alluding to and it's something that we've noticed. It's one thing if it's just housekeeping, Chair, it's another thing if it's – all you have to do is look at this bill and you'll see here the amount of boldface versus what – it's just an opportunity, especially if you have a small research staff to do that. That's what we're asking, I think it comes down to that ability to do due diligence and to debate effectively.

Thank you.

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

S. COADY: I thank you for that construction feedback. I will say we did consider this, housekeeping and when the briefing was done on Thursday, I think that we had officials there to kind of go through what I'm going to call the housekeeping amendments, like moving it from section 38 to 38(1), which was the last point.

But I will make the offer to my colleagues that if I ever have a piece of legislation that you have issues or concerns with, I'd certainly be happy to take the call at any time and walk people through the changes that are required and, if need be, even wait a few days and have further conversations about it.

Thank you.

CHAIR: Thank you, Minister.

We'll next hear from the Member for Placentia West - Bellevue.

J. DWYER: To the President of Treasury Board, when you look at and you consider a can in your hand; now, since this legislation was amended last, they sell actually single servings, a Tallboy or whatever. If that seal is not broken and you're walking down the road with it in your hand and it's not in a bag, because years ago you used to have it in a bag or you couldn't leave the liquor store, now bags are outlawed, but if the can is not opened, is that still considered drinking in public?

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

S. COADY: No, I don't think it would be, but it's at the discretion of the police. They will make their observations and I would assume that if it's not opened and it's not being consumed, but, again, it's at the discretion of the police. If they're observing you in an inebriated state, causing concerns to the public, they can approach you.

During the initial act, they couldn't even approach you, because they didn't observe you having a drink. Now they can approach you and say, okay, is there an issue here or not. Again, it is at the discretion.

CHAIR: The hon. the Member for Placentia West - Bellevue.

J. DWYER: Thank you, Chair.

What if the can in the hand of the person – and they're using their discretion and all that. What if they come up on somebody and they got that can in their hand and they just didn't want to litter, but it's an empty can? You know, but they probably did consume it. I'm just trying to make sure that we're not going down a slippery slope.

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

S. COADY: Again, if the can was not open then we're all okay. But it is at the discretion of the police. I'm being open enough to say

that in the past there have been challenges of safety, security, inebriation, all kinds of things happening, but the police had no ability to question a person because they didn't observe them drinking it.

Now, if they observe that there is a challenge, that they can approach and suggest that this is not appropriate. So it is that small nuance, and I agree, but again, you have to rely on your police officer, in their discretion. And if there is nothing untoward, I'm sure all would be fine.

But if you have an empty bottle in your hand and you're obviously causing public disruption, concern, you are clearly inebriated, you're clearly challenged then I think that at least the police can now do something about it.

CHAIR: The hon. the Member for Placentia West - Bellevue.

J. DWYER: Well, I think just to elaborate on that point, if we look at the discretion of the police officer, then maybe there needs to be something in rules and regulations that has a stop point of how they – at what point do they get to use their discretion. Because, like I said, the way you might see a situation of somebody being inebriated or whatever, might be different for me. Do you know what I mean? So it depends on what kind of facility you're in, if you're at a concert, whatever you're doing. I mean, you could be in a horseshoe tournament, yacking it up with the guys kind of thing.

So I just want to make sure that when we look at rules and regulations, we don't go down a slippery slope of leaving it to only discretion.

The other thing I want to ask: Is alcohol now currently being taxed by the sugar tax? Because, as we know, all alcohol is produced from water, yeast and sugar.

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

S. COADY: I will say to your first point, being intoxicated in public, it is a different offence. It is a pretty serious offence. But I will say that if you have an open can of alcohol and it is empty, I am sure the police – I mean, it is empty, so there is no consumption of the alcohol that can take place; it is empty. I will say there is a difference between possession and consumption.

Concerning the sugar-sweetened beverage tax, we have not moved that toward alcohol at this point. I'm not saying that we're clearly undertaking this. I'm just saying that at this point, no. You know, you're 19 years of age, you're going into consumption, but on the sugar sweetened beverage tax, I do want to say I look at this similar to I would look at smoking.

There was a lot of debate when cigarettes were first being taxed and it's to just change behaviour, there's no doubt. It's also to make people talk about the fact that you are consuming sugar. The largest consumption of sugar, according to the learned society, I'm going to say, like the Canadian Cancer Society, like the Canadian Diabetes Association and so on, they say that the largest consumption in sugar in people's diets is through sugar-sweetened beverages.

That's why they're supportive of a tax. It does a couple of things. First of all, it makes us all talk about it, which we constantly do, and I appreciate that we are doing that. That was very important when they first put tax on cigarettes. It was part of that conversation that helped to stop and deter people from smoking, and we have to deter people.

In a can of pop today, you got 10-plus teaspoons of sugar, and people don't realize it. They would not eat 10-plus teaspoons –

AN HON. MEMBER: (Inaudible.)

S. COADY: And it can be more, you're right. It's not like you eat it. You drink it and you don't realize it, and that's what the Diabetes Association and the Canadian Cancer Society are talking about.

They're very concerned about sugar consumption, and they are supportive of the sugar-sweetened beverage tax for that very reason. It causes a conversation, and we have many conversations in this House and in society about how important it is to minimize the impact of sugar, and when you're drinking it, you don't realize. I don't know of anyone who would sit there and eat 10 teaspoons of sugar, but I know a lot of people that drink 12 cans of pop a day, right?

It's a long way of saying no, it's not on alcohol at this point, but I will say that we recognize that some of these alcoholic beverages do contain sugar.

CHAIR: The hon. the Member for Placentia West - Bellevue.

J. DWYER: I have one last question, Chair.

I ask the minister if we can bring the *Cannabis Control Act* back into the House so that we can talk about the retail side, because right now, having four different tiers of stores, it's not working. We have people who want to invest, but it looks like government only wants to stay on tier four, where we put it into a gas station or anything.

The problem with that is that you can't advertise; you can't talk about it. There are things there that needs to change in the rules and regulations but there are some amendments that could be made as well to make sure that the people who want to invest can invest, because it's actually a little bit too spread out right now with the way we have it situated kind of thing. From my example, I'm saying, let's say the people in Arnold's Cove would have to go to

Clarenville or Whitbourne in order to safely purchase any cannabis or anything like that.

They're not able to get a stand-alone store but there's no other space that they would be able to utilize for tier four stores. So I think that legislation would be really relevant to bring back to the House, because it's a new industry and I think that we need to really nail it down where we make it our own. While it is overlooked by the federal government, it might be an opportunity for us to make it our own. We are an island and there are a lot of things around here, especially when we talk about enforcement. Right now, I mean, you can go on the Internet or whatever and you can order it and have it shipped through Canada Post, show up at your mailbox and nobody is none the wiser, yet that is a black market.

I would like to see that legislation brought forward and I'd really appreciate your due diligence on that.

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

S. COADY: Thank you very much.

Of course, that is the *Cannabis Control Act* and that's separate from this legislation, but I can say to the Member that that act is now currently under review and if there are any proposed amendments, we'll certainly bring it back to the House. But I will say to the Member, always good to have a conversation about the concerns and my team is listening and heard your remarks and we'll take that under advisement as we go through that five-year legislative review.

CHAIR: The hon. the Member for Placentia West - Bellevue.

J. DWYER: I would make myself available to be part of any kind of deliberation for that, because I do have experience with the Liquor Corporation and understanding how it was introduced and everything. I would

make myself available for any of those deliberations.

Thank you.

CHAIR: Thank you.

Seeing no further speakers, shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

The motion is carried.

On motion, clause 1 carried.

CLERK (Hawley George): Clauses 2 through 86 inclusive.

CHAIR: Shall clauses 2 through 86 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 86 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: A bill, An Act to Amend the Liquor Control Act and the Liquor Corporation Act. (Bill 62)

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill carried without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 62 carried without amendment.

CHAIR: The motion is that the Committee rise and report Bill 62.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

SPEAKER (Bennett): Order, please!

The hon. the Member for Lake Melville and Chair of the Committee of the Whole.

P. TRIMPER: Speaker, the Committee of the Whole has directed me to report that Bill 62, An Act to Amend the Liquor Control Act and the Liquor Corporation Act, has been carried without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directed him to report Bill 62 carried without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall this bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

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

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Order 13, second reading of Bill 66, An Act Respecting the Practice of Pharmacy in the Province.

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

T. OSBORNE: Thank you, Mr. Speaker.

SPEAKER: Moved and seconder.

T. OSBORNE: Absolutely. Thank you.

I'm pleased to introduce this bill, seconded by the Minister of Finance and President of Treasury Board.

SPEAKER: It is moved and seconded that Bill 66, An Act Respecting the Practice of Pharmacy in the Province, be now read a second time.

Motion, second reading of a bill, "An Act Respecting the Practice of Pharmacy in the Province." (Bill 66)

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

T. OSBORNE: Thank you, Mr. Speaker.

This bill is being introduced as a result of hard work and collaboration between the department and the Pharmacy Board of Newfoundland and Labrador.

Pharmacy is one of 23 health professions that are regulated in Newfoundland and Labrador. Under the *Pharmacy Act, 2012*, the Newfoundland and Labrador Pharmacy Board is responsible for regulating the practice of pharmacy and the pharmacy profession in the public interest.

The act has been in operation for 11 years and the board says that while it is generally working well and is supportive of the board's objectives, there are several areas where improvements can be made and we can modernize the act.

Firstly, the bill will update the name of the board to be the College of Pharmacy of Newfoundland and Labrador. Currently, the board is the only pharmacy regulator in Canada that is not recognized as a college. This change, while significant, will not impact the important work that the pharmacy college will undertake.

Mr. Speaker, amendments to the act will reflect the distinction between the corporate entity responsible for the day-to-day operations of the regulatory body and the board of the regulator, being its governing mind. So the amendments throughout the bill will set out more clearly the distinction and roles between the college and the board.

The bill will also address concerns respecting the ability of prescribers to prescribe using electronic means. Without amendments to the act, any means of electronic prescribing must be approved by the board. These amendments will facilitate the implementation of PrescribelT, which is Canada's national e-prescribing service, which was developed in partnership with Canada Health Infoway and Health Canada.

Following a successful pilot program, PrescribelT is now being utilized at 10 sites in the province; however, a further expansion of PrescribelT, or other electronic means, is in part limited by the language of the current act.

PrescribelT, or other similar services, enhance the current process by integrating the provincial electronic medical record, which is used in the majority of community-based pharmacy offices, primary care and physician offices and health services clinics, along with some other community-based specialist clinics, directly into the retail pharmacy software for seamless e-prescribing.

Implementation of electronic prescribing offers advantages as well, Mr. Speaker, in patient safety and providing efficiency over historical methods of prescribing. Electronic prescriptions will reduce the opportunity for error, as well as potential forgery of written prescription pads.

Mr. Speaker, one of the main functions of the legislation is to set out registration requirements for pharmacists, pharmacy interns, pharmacy students and pharmacy

technicians. At present, no provision is made for the registration of pharmacy technician interns or pharmacy technician students. So the bill will add those registration requirements as well.

The bill will add the definition of registrant to include pharmacists, pharmacy technician, interns, pharmacy students, pharmacy technician interns and pharmacy technician students. The term registrant is used throughout the bill to avoid circumstances where one or more designations are left out. The intent behind this definition of registrant is to ensure that all appropriate individuals are subject to the operation of the act.

While no substantive changes are being made to the existing registration provisions, the bill will provide the regulator with increased discretion and flexibility in the registration process. These changes will allow the board to require an applicant to undergo certain examination or practical training requirements – again, if they do not complete the registration process in a prescribed period of time. Similarly, the board may also require a person who has been out of practice or not engaged in active practice for three or more years to complete certain examinations or training periods again. This will ensure that only those registrants who meet a currency requirement will be eligible to practice.

The bill will also provide the board with the added discretion to register applicants who have not graduated from an education program accredited within Canada, or have not previously been licensed in Canada, but who otherwise demonstrate sufficient educational and training requirements to safely practice in the province. This will facilitate the registration of pharmacists and pharmacy technicians educated in other jurisdictions and is consistent with measures taken with respect to other health professionals, such as physicians and registered nurses.

The bill will also provide applicants whose registration is denied, the ability to appeal to the board of directors and then to the Supreme Court.

In addition to registration of pharmacy professionals, the regulator is also responsible for issuing licences to pharmacies in the province. A pharmacy can only operate if it is licensed under the act and owners must ensure that they are operating in compliance with the legislation and the board's standards.

So the bill clarifies the requirements and responsibilities for owners where ownership of the pharmacy changes. This will allow the board to ensure that all owners of a pharmacy are aware of their obligations as the owner.

Like all other health professionals or health profession statutes, the act is responsible for setting out the discipline process for registrants as well. The bill does not make substantive changes to general processes but will make changes to increase public protection. The bill will also allow the registrar to suspend or restrict a registrant's registration upon referring an allegation to the complaints authorization committee, where the registrar determines it would be in the public interest to do so.

The bill also increases the allowable fine that may be ordered where a registrant is found to be guilty of conduct deserving of sanction from \$10,000 to \$25,000. The fines vary across health statutes from \$10,000 to \$100,000. The increased fine reflects the seriousness of certain disciplinary matters.

On October 3, 2022, the Newfoundland and Labrador Court of Appeal made a determination that the board did not have the authority to inspect pharmacies as part of its quality assurance program. It is clear that the board must have this power since it is responsible for licensing of pharmacies. So this legislation will also outline and make

clear that the board does have the ability to inspect pharmacies.

The bill provides the board with the explicit authority to inspect for the purposes of assessing compliance with the act for any standards of operation or pharmacy practice established by the board as part of the quality assurance program established under the act. This clearly will provide the board with the authority to fulfill its mandate.

The bill also clarifies that inspections are just one aspect of the board's robust quality assurance program, which also includes routine assessments of registrants and pharmacies to ensure compliance with practice and operational standards. The bill grants the board the direct authority to appoint people to conduct these assessments and will give the regulator the ability to direct registrants, pharmacists in charge of and pharmacy owners to comply with regulations.

So collectively, Mr. Speaker, the bill will strengthen the board's quality assurance program to enhance public protection and assist the board in its mandate of regulating the practice of pharmacy in the public interest.

In addition to the above changes, the bill will also update the language in the legislation to better reflect the current operations of the board as well as current legislative drafting standards. Bill 66 will update and modernize the language in the act; clarify the roles of the board and regulator; remove barriers to electronic prescribing; confirm the status of all individuals registrable under the act; provide added discretion to the board in the registration process; clarify licensure requirements for pharmacies; and clarify the scope of the board's quality assurance program.

In today's health care climate, these initiatives will both further the board's public interest mandate and improve access to care for Newfoundlanders and

Labradorians. Mr. Speaker, officials in my department are working very closely with the Newfoundland and Labrador Pharmacy Board, soon to be the college, to ensure that the proposed amendments meet the province's needs while maintaining the board's high standards regulating in the public interest.

The department acknowledges that there is more legislative work to be done in conjunction with the board, and we look forward to continuing a positive working relationship.

I'm pleased to put this legislation to the floor for debate and look forward to answering any questions that Members have.

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

B. PETTEN: Thank you, Speaker.

I'll spend a couple of minutes speaking about this legislation; it's a fairly big bill, paper-wise. We attended the briefing on Friday morning, and most of what's in the bill – and the minister just read notes or whatever on the legislation. There's nothing – we have questions for Committee I guess, is what I'm trying to say. We'll divert a lot of that to Committee because there are pointed questions.

This legislation, it's basically – like, I think with the Newfoundland and Labrador *Liquor Corporation Act* there was some modernization and the minister – what we heard in the briefing, this is something that all sides are in favour of. There are certain particular questions we'll ask in Committee to find who exactly was consulted, who wasn't, or whatever.

But it's modernizing legislation; I realize there's a lot of legislation on the books in Newfoundland and Labrador that requires legislative refreshing, which goes I suppose to the point of we can sit in this House until this time next year redoing legislation

because a lot of it is outdated. A lot of new stuff to come but a lot of our older legislation needs to be brought forward and updated.

Basically what we're looking at there, you're going to amend definitions, add new definitions, remove definitions no longer required. You're changing the name of the Pharmacy Board to the College of Pharmacy, which is something that was advocated for; allow registration of pharmacists or pharmacy technicians who have not graduated from a program accredited by the Canadian Council for the Accreditation of Pharmacy Programs or were not registered in another jurisdiction in Canada, where they satisfy other requirements set by the College of Pharmacy of Newfoundland and Labrador.

I guess that feeds into the reality of recruitment and trying to get a broader base than being focused on your own province and in the country. Again, that's something that's been widely lobbied for and asked for. It's moving and it's dealing with ongoing issues because you're sometimes caught up with the legislative requirements that stop you from doing recruiting and others coming in to help fill the void.

Allow the College of Pharmacy of Newfoundland and Labrador to require applicants who apply for registration two or more years after completing the required examinations or practical training to rewrite the examinations, redo the practical training, or both.

Speaker, when I saw this in the briefing Friday, I seen it – to me it's the Red Seal exam sometimes, you know, the refreshers. The tradespeople would be familiar with this. If you're in a trade and you are considered to excel in the trade, you can go and write a challenge exam. I think they're referred to within the advanced education and skills. I know there's a new department, immigration, skills and labour, whatever.

Anyway, it is not exactly the same, but even if they've gone outside the timelines, you may only require, almost like a refresher, and reconfirm basically your skill set to keep your licence. And again, these things make sense.

Provide for registration of pharmacy technician interns and pharmacy technician students – another good move. Clarify the requirements for a change in ownership of a pharmacy. Some questions on that in Committee, Speaker. That's one that caught my attention is that individuals own these pharmacies, especially in rural Newfoundland more so than in the Northeast Avalon. A lot of private pharmacies, smaller pharmacies outside the main areas, they're going to have to now require and get permission to sell a pharmacy. That's their lifelong investment, and get approvals, and even if they're considering – so there are questions to that. In Committee, we'll pick it up, too, but I think that's a concern you're probably going to get from some of those people. It caught my attention, and others as well.

When you actually own it, it's your lifelong investment. To get this approved, what's required, and what if they reject you. You could be selling it for various reasons, who knows, so it's one that requires more questions.

Clarify the scope of quality assurance program to include routine assessments of registrants or pharmacies – fair enough. Allow inspections for the purposes of determining compliance with the act, regulations, standards of operation or pharmacy practice, and incorporate gender-neutral language. Again, that's something that's brought to the modern age.

So, Speaker, we welcome the update to the legislation governing health professionals, as long as the proper fulsome consultation is done and, unfortunately, that's not always happening with some legislation that comes to this House. Again, that's not slight, that's

actual fact. We've witnessed that over time, the consultation process is not always up to scratch. We've all argued that and outside groups have brought it to our attention.

It's incumbent on us, being the Opposition, to bring that to the House of Assembly and any piece of legislation to make sure everyone was consulted properly, their voices were heard, their concerns were raised and, at the end of the day, that's how you get a good piece of legislation. You got everyone on board – even if you're not fully on board, you can live with these changes, and that comes from good consultation. It's something that over time we've seen and continue to see, that's not always the case. I guess, good Opposition, their role, too, is to make sure that good legislation comes to the House and is debated properly.

My colleague from Ferryland made a good point on the last piece of legislation, and I know it's not always easy to do, but I think we need to really look at – he never said it, but I think we need to look at using Committees more for legislation in the House of Assembly. We have Committees in place but we only use them for Estimates during budget debates. Why can't we use those Committees for looking at all of this legislation?

We did it as a trial a couple of years back, I think it was a real estate bill coming through here. I actually sat on that Committee and I thought it was actually a pretty good process. It might slow things down, but when you get to this process, it's rubber-stamp time because once you go to Committee and everyone is in favour, all caucuses tend to agree, you can bring it in and you can pretty well go through second reading pretty quickly without much controversy. Even the Committee stage can be done with maybe a couple of other questions.

I think that's the way forward. I think that's what we should be looking to strive to, as opposed to trying to catch one side off

guard or just get it done. You find that sometimes you feel like get it done, get it in, we've got to get it done, push it through. One day you've got to get second and Committee on three bills. We're going to be here all night. We got to get this done today. Yet, the next day we finish at 3:30.

So I'm asking why can't we do this and give the proper time to it? We question about the House staying open long enough to do the legislation. Let's get on with it. That's why I think it's very important that we take the time, whether that be Committee or what have you, to fit it into the Parliamentary Calendar, to do proper legislation, because it's not only this House wins, but the people of this province wins every time you do stuff like that.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: So as we compete internationally for health professionals, I'm glad the new act will allow access for those pharmacists trained overseas. However, we need to assure they meet the minimum Canadian standards to protect the public, which again, hopefully, that's going to be included, that's going to be part of the process, but time will tell.

I also note the legislation formally changed the name of the Pharmacy Board to the College of Pharmacy of Newfoundland and Labrador. This has long been advocated for and is in keeping with the practice across the country.

Speaker, on that note, I'll take my seat and wait for further debate on the second reading and we'll have questions in Committee.

Thank you very much.

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

P. LANE: Thank you, Speaker.

I think my colleague from Conception Bay South pretty much summed up all the issues – or not issues, but I guess what I had to say about it. I will support the legislation. The changes make good sense to me, particularly the piece around making it easier to recruit.

I don't hear, to be honest with you, I haven't heard from constituents per se about issues around not having a pharmacist. I hear all the time from people about not having a family doctor or primary caregiver, I hear that all the time. I hear all the time from people waiting for MRIs and long waits in the emergency department, things like that, but having a pharmacist is not something I hear a lot about. So I'm not sure how short we may be on pharmacists in the province, I don't know. Maybe in some rural parts of the province.

I don't get the sense there's a big issue around here or that there's a major issue with recruiting pharmacists. But with that said, if there isn't an issue now, there certainly could be and having the ability to be able to recruit people from outside is important. Not just for that individual, but I've had issues, for example, where we might be trying to recruit a health care professional here to Newfoundland and Labrador, as a doctor as an example, or a nurse or whatever. The issue is not even that. The issue is, I'm a doctor but my wife is a pharmacist, or my wife is a nurse, or whatever the case maybe, and the challenge in recruitment, in bringing in someone you actually truly need in a more desperate way, is the fact that you don't have the ability to find that employment for their spouse, especially someone coming from another country. I've had that brought to my attention a few times.

So having the ability for pharmacists is no different than any other health care profession, to have that ability to be able to more easily recruit people from outside the province and outside the country, I think is a positive thing.

I definitely support the concept of the college being able to police pharmacies, if you will, and be able to go into pharmacies and ensure that, you know, pharmacists throughout the province are following the best practice and operating the way they should and maintaining standards. That's something that definitely should be in place for all of our health care providers, regardless of who they are.

I would say that with the College of Pharmacy – or it's going to be called the College of Pharmacy, it's not now, the change will make it the College of Pharmacy – I don't know if there are any issues currently with pharmacists. But I do know, I've heard, and I've raised issues here around the College of Physicians, and the challenges that appear to be in place as it relates to recruiting doctors to the province.

There seems to be that bottleneck that always seems to occur at the college and the lack of communication, if you will, or lack of synergy and working together between the College of Physicians, Memorial University and the health authority's recruitment division. I've heard a number of times of issues around recruiting doctors because, like I said, the college, the health authority and MUN are not working together. They're operating their own little silos and not communicating with each other.

So I would hope that this college, that part of the, perhaps, regulations and policies moving forward, would be heading in a direction where the College of Pharmacy would be working hand in hand with Memorial University and with the health authority, in the cases where they're involved, working together in terms of the recruitment process so we don't run into the same kind of issues that we're running into with the College of Physicians and Surgeons in the province.

But beyond that, Speaker, I think we're modernizing the legislation. It's important that all of our legislation, as my colleague from CBS said, be modernized and up-to-date, particularly when it comes to health care. We know the critical importance of health care in our province, the challenges that we're having in our province as it relates to health care, and anything we can do to assist in recruitment and assist in ensuring we have proper standards and so on in place, I think it's important we do it.

The last point I'll make, and it's not necessarily covered here per se, but I just want to mention the whole concept around scope of practice. I'm not certain – I know there have been some changes made; we've had changes brought in this House of Assembly in the past around scope of practice for pharmacists. I'm not sure, maybe they're doing everything now that they could be doing. I don't know if that's the case or not.

I get the feeling that there are probably other things that pharmacists could be doing, and the minister's giving me the thumbs-up there, so I'm hoping that we're going to see further changes as time goes on that would increase the scope of practice for pharmacists. Because I think part of the solution – it's certainly not the solution, but I think part of the solution to our health care challenges is around scope of practice and ensuring that everybody is working to their full scope of practice.

If there's something that pharmacists could be doing to be taking the load away from physicians and from nurse practitioners, freeing up space for people to be seen at the emergencies and so on, because there's things that they could get done at a pharmacy, then I think we should be doing it. While that may not specifically be in here today, I would say that anything we can do to increase scope of practice for all our health care providers, including pharmacists, which are captured in this legislation, we should do it.

With that said, I will be supporting the bill.

Thank you.

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

J. DINN: Thank you, Speaker.

I won't be long with this, but we will support – I'll use the royal we here. We'll be supporting this bill. I will say this, that as a colleague of mine, a former teacher used to refer to it jokingly as living better chemically, about having adequate access to drugs. As a teacher, and anyone in the teaching profession knows, with the plan we have it's a prescription by law, so all drugs, anything with a DIN is covered. Drug Identification Number, just in case my brother thought I was speaking about us.

The fact is that when you have a plan that doesn't have a formulary, Speaker, it gives you a tremendous amount of freedom to look at the drug treatments that are appropriate. I will say this, the bill, if anything else, I would argue recognizes the importance of the pharmacist and pharmacy itself in the overall treatment of people. The bill itself modernizes the language regarding governance of the professional and adds clarity to roles and responsibilities of a number of key figures.

The greatest change is upgrading the name of the board to the college throughout the act, and without this change, there would have been some confusion regarding the word board, if it referred to the college or the board of directors governing it.

I guess a significant change here that, to me, indicates where health treatment in itself and health care is going, it's about amending and adding definitions, removing others that are no longer required. For example, changes the definition of practice of pharmacy, to replace preference to disfunctions with conditions, and to clarify

that pharmacy professionals collaborate with patients to meet their health needs.

If anything else, that language suggests, Speaker, that there is an attempt here to recognize that the patient is not simply the receiver of health care but is indeed a partner in his or her own health care moving forward. That's the new realities and anyone who's gone to a pharmacist, it's not just simply here's the medication. But it's a discussion about, well, have you had this before? Here's what to look for. Here's what you need. Sometimes to clarify the side effects or answer those specific questions because they are the expert in that field. So for those reasons, we will support it.

I will use this opportunity, though, to reference the need for a pharmacare program, about the importance of having easy access to medication, including the need for pharmacare. To go back and refer to my friend, my former colleague, retired colleague, about living better chemically, it is about, in many cases, living better chemically. We've got too many cases where people cannot afford maintenance drugs such as insulin, blood pressure medication, you name it.

So there is an opportunity here, I think, in this, not only to recognize the value of pharmacists, pharmacy technicians and so on and so forth and realizing that they have a significant role to play, but also, the significance of having an effective and affordable medication at our fingertips to prevent more serious outcomes.

With that I'll take my seat, Speaker, and look forward for the opportunity to ask questions during the Committee of the Whole.

Thank you.

SPEAKER: Seeing no other speakers, if the Minister of Health and Community Services speaks now, we'll close debate.

The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

I thank Members on the other side of the Legislature for their remarks. I look forward to questions during Committee.

SPEAKER: Is the House ready for the question?

The motion is that Bill 66 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

CLERK: A bill, An Act Respecting the Practice of Pharmacy in the Province. (Bill 66)

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

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

L. DEMPSTER: Now.

SPEAKER: Now.

On motion, a bill, "An Act Respecting the Practice of Pharmacy in the Province," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 66)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you.

Speaker, I move that this House do now resolve itself into a Committee of the Whole to consider Bill 66, An Act Respecting the Practice of Pharmacy in the Province.

SPEAKER: And a seconder for that motion?

L. DEMPSTER: Seconded by the Minister of Health and Community Services.

SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into Committee of the Whole to consider Bill 66.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

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

Committee of the Whole

CHAIR (Gambin-Walsh): Order, please!

We are now considering Bill 66, An Act Respecting the Practice of Pharmacy in the Province.

A bill, "An Act Respecting the Practice of Pharmacy in the Province." (Bill 66)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

I got a few questions, Minister, along the way, some general ones. I guess the first question is, why are you bringing this bill forward now? What's the rationale for that now?

T. OSBORNE: So it's essentially to modernize the language in the act. The old act was working relatively well, but this is in consultation with the board that this act is being brought forward. One of the components of this is to change the name from board to college, and to distinguish between the roles of the college and the board.

So this is something that the current board, or what will soon be the college, had asked for and is looking for. We're the only province in the country that calls the Pharmacy Board, board, as opposed to the pharmacy college.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, along the way, I guess there was consultation with the Pharmacists' Association. Are there any results to that consultation or was that unanimous in support of this legislation?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: The association?

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: The Pharmacists' Association, yes.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: This legislation deals directly with the college, not the association. We did inform the association of the changes, but this is directly related to what will be the college. I'm referring to them as the college

because they respectfully request that. But this deals directly with the board, soon to be college.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: But there was consultation with the Pharmacists' Association along the way? That's the question.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yes, there was discussion with the Pharmacists' Association. The direct input into this would have been collaboration between the board and the department. This is the board's legislation, as I've indicated. But there were discussions with the association.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Were they in favour of these changes?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yeah, during the process or the consultation, there were some suggested changes made and we worked with the board to incorporate those changes. But this was a process of collaboration between the board and the department.

One of the other areas that is highlighted is the board's ability to inspect pharmacies. That was always assumed as part of the mandate of the board, but a court ruling had indicated that they didn't have the explicit right. It wasn't outlined in legislation. In order to maintain public safety and in the public interest, they needed that. So that's also built in here. Also, the ability to register certain registrants, adding a technician and student, for example, as registrants through the college.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Did you consult with independent pharmacists, not members of the association?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So the board represents all pharmacists. They speak for pharmacists as the body representing pharmacists. The association had no concerns. They also represent pharmacists. The board – or soon to be college – regulates pharmacy, are the practice of pharmacy. The association, similar to the NLMA, would negotiate for pharmacists. But both organizations represent the pharmacy profession, so the association didn't have concerns and the consultation with the board, as regulator, they would represent all pharmacists as well.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: So was there a jurisdictional scan done in other provinces with similar legislation?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: There's always a jurisdictional scan by Legislative Counsel. Many of the changes here will bring us in line, such as the change to the name, college, or bring us in line with other jurisdictions.

There are unique circumstances, I guess, in every province. So does it mirror exactly? I would say it's safe to say that no legislation in any province would exactly mirror another province's legislation, but there's always a jurisdictional scan done.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, we have a shortage of pharmacists. Last fall, the association noted we're short 100 pharmacists across the province. Is there any update on that number?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I can get some details. I don't have that with me. I mean, the legislation doesn't deal with that specifically, but we can get you an update on that.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: What about scope of practice for pharmacists? I know there's nothing in the legislation. Is that addressed separately or are there any changes to that, improvements?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So we've increased the scope of practice for pharmacists last year. We are in constant contact with the association, for example, and we're always looking at scope of practice. The Health Accord calls for an increase in scope for all disciplines of health care. I think the increase in scope last year was well received by the association and by pharmacists in general. We continue discussions with the association on areas where we can further increase the scope.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: So what protections have been built in to ensure internationally trained pharmacists can work in our health care system? I know some of the language is vague on what the college can accept in place of Canadian exams. Will they meet the same Canadian licensing standards?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So the college, similar to the College of Physicians and Surgeons, have the ability to determine who should be a registrant. I use the College of Physicians and Surgeons, there are other colleges, colleges representing registered nurses and nurse practitioners, the College for Licensed Nurse Practitioners, for example. So the colleges will determine who can be licensed or registered with the college, but we continue to work with all colleges on improving the ability of the province to recruit.

This does have built into the legislation an ability to licence those who have not been trained in Canada through an accredited institution, or those who have not previously practiced in Canada but meet the guidelines and standards of the board – soon to be college. I'm going to refer to them as the college from here on in because this legislation will make them a college and that is their preference.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, are pharmacists at the hospitals covered under this legislation?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: This body is the regulatory body, so it does regulate and licence all pharmacists.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Okay. Even though they're represented by a different union and whatever, they're still covered.

If they're represented by a different union, why would you have to be a member of

PANL, I guess is the crux of the question, because they have other representation?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Well, all pharmacists would be represented by PANL. PANL is essentially the union for all pharmacists in the province. It's the association that represents all pharmacists.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Right, but that's where my question originated from, because we have some pharmacists that are unionized, so they're being basically represented by two different so-called employer groups.

PANL could form another union, so you're unionized in the hospitals by one union, you're also unionized unofficially by PANL, I guess that's the crux of the question, that's where it originates from.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yeah. So it's no different than physicians who practice in the province have to be members of the NLMA. If physicians determined, for whatever reason, that they wanted to be represented by another labour union or professional union, that would be their choice, but all physicians who practice in the province are members or associated with the NLMA so it's similar with pharmacists and PANL.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Okay, thank you.

Why are some former regulations moved into legislation while others are left in the regulations? Do we get to see all the regulations or is that only after the bill passes through here?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Again, this was in consultation with the board or the college and to determine how the college can best function in terms of regulating the profession. With any legislation, there are regulations and there is legislation that governs the regulations, for example. But this was in consultation with the college to determine how the legislation could be improved and amended to best represent their interests.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: How many complaints or allegations a year did the former Pharmacy Board receive? Do you know?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: How many complaints a year?

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Yeah.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I don't know; we can get you that.

I mean, that would be a function of the board, similar to the NLMA. We wouldn't have that information readily at hand. We could request it from the college, but it is not something that we would be privy to on an ongoing basis.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Okay, that's fine.

Minister, dose splitting is back in the news. We've heard some of it in the recent week or two. Is there any update on that investigation? A while back we heard a lot about this dose splitting. Is there anything new to report on that? I guess, as we're dealing with pharmacists, it's topical.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Going on recollection, my understanding is the board or the college had looked into that complaint, as did the health authority. There was nothing – it didn't proceed any further, so I am not aware of any current concerns from the board or the college in terms of dose splitting.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, I guess the question – how do you ensure internationally trained pharmacists are properly vetted? Will steps be taken to ensure it is transparent and consistent? Because, I mean, we deal with a lot of issues and language barriers among the top one. That's something you've spoken about in the past.

So what steps are going to be taken to ensure this is transparent and cohesive?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: That's a function of the regulator. The legislation ensures, through the regulator, that individuals are fit and have the proper education and have no disciplinary action that would prevent them from operating in the province. But that is a function of the regulator to determine one's ability to practise in the province.

As we've seen with other colleges, for example, this is something, the standards that they uphold, there are oftentimes that people say that their standards are rigorous

but they uphold that standard to ensure the public interest and public safety.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Can you explain what will happen when a pharmacist retires? Can the business be sold and transferred, and what about the physical building? I know there are requirements when you go to sell your business.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Any time there's a change of ownership, this legislation will also ensure that the new owners are regulated and uphold the standards of the college. That is there to ensure that a pharmacy cannot be licensed with owners who meet the requirements of the college and sell it subsequently to somebody who doesn't meet the requirements of the college. So a new owner would have to meet the requirements of the college as well.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: What if the pharmacy is sold but it's moved to a different location, how will the interim licensing work during that potential listing for sale, operation of transfer after sale?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I'm sorry, could you repeat that?

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: What if a pharmacy is sold but moved to a different location, how will the interim licensing work during the potential listing for sale, operation of transfer after sale?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Similar to, I would say, a pharmacy changing hands in terms of ownership, they would have to meet the requirements still as set out by the college. Whether it's the location changing or the ownership changing, the legislation also outlines the ability of the board to inspect premises and pharmacies. So they would have to meet the guideline standards and requirements of the college or the board.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, under emergency, when you have to get emergency registration for a pharmacist, the college basically has to accept the declaration of the person as proof that the person satisfies one or more of their requirements and they're listed off in the legislation.

I guess there's no independent verification. You have to be licensed or registered to practise as a pharmacist; graduated from the faculty of pharmacy in Canada; previously registered – it's clearly wrote there, but there's no other validation to that. So that's totally, solely with the college; they have total control over that? There's no other verification or –

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I mean, they have to meet the requirements set by the college, but this legislation allows that if somebody hadn't been trained in Canada or previously practised in Canada, that the college could vet that individual and determine whether they could register with the college to practise in the province. I'm not sure – does that answer your question?

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Basically, we're putting conditions into these pharmacies because you're putting a layer of – again, I think I look at, sometimes, rural Newfoundland where there are a lot of private pharmacies. So there are a lot of moving parts and it's not just like you're selling your business and going and it is concern to someone else. You're moving it to a different location. You have to first file to approve the licences but there are other conditions involved with that sale. We don't know where it's being moved. There are a lot of – I used moving parts but it's not clear-cut. You're taking over this business from person A to person B. There are other issues involved. It's not as simple as just selling an ongoing business.

What other conditions or what other concerns when they look at approving these sales – it has to be more than being a licenced pharmacist. I am sure there are other conditions they would look at in approving these sales. You would think it anyway.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: If the owners and operators of the pharmacy, whether it changed location or not, if it changes ownership, they have to meet the regulatory requirements of the college and the standards of the college. If they changed location, I guess through inspection to ensure that the facility is suitable, but those are all roles of the college in determining that.

There's no substantive changes or requirements for a licence. The college may wish to inspect a facility if they changed location to determine the suitability of that location. Pharmacies deal with a number of medications and some of these medications would certainly have to be stored in a way as to protect the public interest.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: The question comes down to someone may just want to go test the market. So you're going through an application process for change of ownership and if someone is quietly, so-called, kicking the tires on a proposal, how quiet is that after if you've got to go through that process? Do you know what I mean? It's a strange thing. You've basically got to go through this process even if you don't end up purchasing it.

How quiet or confidential does this process be? We all know that it won't stay that way. Do you know what I mean? That's the concern in any business.

So the question is you're going to sell an existing pharmacy and you're going to make a change in application for change in ownership, like, test the market, quietly try to determine if there's interest in that business. Basically, there are concerns, I'm sure, from that end of it because there seems to be a lot of control.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So there's no requirement to disclose a potential change of ownership. The requirement would happen if there was an actual change of ownership. So if somebody is exploring purchasing a particular pharmacy, until that change actually took place, there's no requirement to disclose that.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: But the sale can't go through without that approval. So you're not getting through the front, you're getting through the back or they would have to be approved by the college. So they can't get to point B without passing point A. So, I mean, that makes this whole process null and void. That's the point of the matter.

They would almost have to have prior approval, almost like a mortgage, you get pre-approval. If you're looking at it, you're really going to look at it. It might simplify it, but that's really where I see it to.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yeah, so I would say that that's normal. You need to obtain the necessary regulatory approvals and, I would say, while it's a function of the college, it's not a function of this Legislature or the department. It is a function of the college.

But I would say, in the interest of public safety and security, that is something we would support, in any event, to ensure that new owners would be fit to be pharmacists or to own a pharmacy dispensing things like narcotics. They would have to go through that process. It currently exists as a requirement now in the legislation, so there are no substantive changes in that regard.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: So the legislation also says a person, other than a pharmacist in charge, shall not direct, control or manage the pharmacy. So is that limiting or restricting the ability of an actual owner if you're not a pharmacist to run this business, to own this business?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: It would be no different, I think, than if you had an investor in a physician's office. They probably couldn't write a prescription, so an owner of a pharmacy that is not a pharmacist can probably not dispense medication either. I would think that is in the public interest.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Yeah, I'm not implying that this person who is not a pharmacist should be in writing any prescription for anything. But I guess the question is, isn't that limiting the ownership of who can actually own the pharmacy? That's the question. Basically, this can be indirectly enforced, you have to be a pharmacist in order to own a pharmacy.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So a pharmacist must control the pharmacy area of the business. I don't have an issue with that.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: No, no, no, I think the issue is, again, sometimes it's not obvious. So basically, indirectly what we're saying is that if you're not a pharmacist, you probably shouldn't look at – unless you're going to own a conglomerate of pharmacies, you probably need to find another business operation to take over, because you need to be a pharmacist, in actual fact, if you want to make the business model work.

So we're saying the same thing, but the question comes up that if you're not a pharmacist, basically, you should move on from owning a pharmacy because you have no – pharmacy is the crux of those businesses, so indirectly that's really what's being said, without saying it.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yeah. I mean, not to single out, but many of the chain pharmacies – and there's a couple of different chain names that are huge in the province – that business is largely retail as well. So somebody can own the business, but a pharmacist would have to control the pharmacy, and I would say that's most normal.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Under Quality Assurance, Minister, the section lays out powers to appoint persons to do quality assurance review and can enter the premises, examine records, examine patient information, et cetera.

Is there any legal opinion on granting individuals of this board such powers?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So this is all vetted through Legislative Counsel and the person in our department who drafts legislation is a lawyer. So having a lawyer draft this, having it vetted through Legislative Counsel, there's a very rigorous process before anything reaches the floor of the Legislature.

I would say that yes, this is most appropriate to be on the floor and what is in the legislation is most appropriate to be in the legislation.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Okay.

Minister, on that note, too, we're looking at the powers there, but did we receive an opinion from the Privacy Commissioner on the third-party access of patients' health information?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So the Privacy Commissioner was consulted on this as well.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Okay.

The quality assurance committee or person acting on their behalf can access patient records without letting the person know. What's the rationale for this? Is the Privacy Commissioner also okay with this?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Before I answer that, I know officials are listening, and I will wait for a response to that particular question because I don't know the answer.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: That's fine.

Under Inspection and Compliance, again, it's broad sweeping powers to show up unannounced, seize records, conduct reviews, all without a subpoena tested in court.

Again, this is like unfettered power. Do you have any concerns that this could go off the rails?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: These powers currently largely exist in the current legislation. Again, pharmacies deal with narcotics and other substances so the regulator would have to have some level of ability to inspect and ensure quality assurance. Again, I don't have an issue with that, but that is in the current legislation.

Can you repeat your previous question you're waiting on an answer for because I just heard back from an official that they didn't hear your question.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: A quality assurance committee or person acting on their behalf can access patient records without letting the person know. What's the rationale for this and was the Privacy Commissioner consulted?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Okay, so give me a few minutes and we'll get you an answer.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: One on Inspection and Compliance: Did the Privacy Commissioner see this legislation and provide an opinion?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yes, the Privacy Commissioner was consulted on the changes to the legislation. That was vetted through the Privacy Commissioner.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Board protection from liability for anyone involved, the board and committees and the person doing investigations, et cetera. That's in section 65, which is – too many sections in this bill.

Is there any recourse for damages for a pharmacist who feels unduly penalized or unfairly treated? That's the crux of the question.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: They can appeal to the board and, ultimately, they can appeal to the courts if they feel that they were unjustly treated by the college.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Okay, well, I'll wait for your question to come back.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I think I have an answer for you.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Oh, you have an answer, very good.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: To ensure that services being provided are appropriate, the power to review records without consent is consistent with the current act and *Personal Health Information Act*. The Privacy Commissioner did not review the act, this actual act, but was consulted on the act and the changes.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: So this issue here was not directly – the Privacy Commissioner did review the full piece of legislation with this in it?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yeah, the Privacy Commissioner was consulted on all the changes. But the act was not provided to the Privacy Commissioner prior to coming to the Legislature. But the changes themselves, the Privacy Commissioner was consulted.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: So the Privacy Commissioner is aware of this change?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yes.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Okay, I think that's it for me for now, Chair.

Thank you.

CHAIR: Okay.

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

J. DINN: Section 1 or for all of it?

CHAIR: Clause 1.

J. DINN: Okay, clause 1. Just to make sure we have the right one there, Chair: This act may be cited as the *Pharmacy Act, 2024*. Correct?.

CHAIR: Yes.

J. DINN: Perfect. Thank you, Chair.

When did the board originally come to the department to request changes to the legislation, and I guess how many consultations were held with them in order to produce the bill we're debating today?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: The consultation was ongoing between the department and the board. So it's been ongoing for some period of time. Legislation is constantly updated, all pieces of legislation. But the consultation on this has been going back and forth for some period of time, and changes based on that consultation process.

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

J. DINN: Thank you.

We're presented here with new legislation, and will there be a completely new set of regulations to accompany them, or will they largely resemble the regulations that are currently in force?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: The regulations that are currently in force, the college themselves, similar to the College of Registered Nurses, the regulations are largely in the hand of the regulator. I don't see an overhaul or a complete overhaul of these regulations. Any changes to the regulations would reflect what's on the floor today.

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

J. DINN: Thank you.

I think, in answer to my colleague's questions, that you said the Pharmacists' Association of Newfoundland and Labrador was informed but not consulted. I think there's some concern about the discussion. Did they raise any concerns about this legislation?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: They had no issue, as I understand from officials. So there were no concerns raised by them. They were informed of the changes, but again, this legislation is specific to the board, soon to be the college. The panel were informed of the changes and didn't raise concerns.

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

J. DINN: Thank you, Chair.

With regard to the Privacy Commissioner, just to clarify, so the Privacy Commissioner

was not provided a copy of the legislation to review prior to being debated here?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: The Privacy Commissioner was consulted on the changes. It's generally not practice that legislation would be provided to others prior to being provided to Members of the Legislature. The normal course is that Members of the Legislature see the legislation. So the Privacy Commissioner was consulted on the changes.

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

J. DINN: So did the Privacy Commissioner see the exact wording in the consultation or was it just a general overview?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I can ask officials whether it was the exact wording that was provided or not, but I have been assured by officials that the Privacy Commissioner was duly consulted on the changes.

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

J. DINN: I think we've had previous examples of this, too, where the Privacy Commissioner has expressed some concern about not having access to the legislation. So I heard that the Privacy Commissioner has been consulted. I'm wondering what concerns has the Privacy Commissioner put forward, either in the process or any concerns, especially with regard to patient records.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I'll get that answer from officials. I think, previously, the concern of

the Privacy Commissioner was that they weren't duly consulted. They were duly consulted on this piece of legislation.

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

J. DINN: Okay, thank you.

That's it for section 1, Chair.

CHAIR: Thank you.

Any further questions?

Shall clause 1 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 89 inclusive.

CHAIR: Shall clauses 2 to 89 inclusive carry?

Any questions?

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

J. DINN: Thank you.

In section 2(z)(iii), there is a reference to drugs not excluded from this definition in the regulations. Are there currently any drugs that would fall into this category? If yes, would it be possible to provide some examples?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Naloxone, I believe, but I will find out if there any others. I'm not aware of any but give me a few minutes and I'll

provide you with a fulsome answer, but Naloxone.

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

J. DINN: Thank you.

Section 2, why was the definition of hospital excluded from this bill. I think my colleague had referenced pharmacist and hospital may be under a different union, but why would hospital be excluded from this?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So I'll get an answer to that as well.

To your previous question, there were no obvious access concerns by the Privacy Commissioner.

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

J. DINN: And nothing in writing that would indicate that he would have any concerns?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: There was no access concerns raised.

Yeah, so that's it, just Naloxone.

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

J. DINN: Okay. Thank you.

In section 6 –

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: And the bill applies to hospital pharmacists.

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

J. DINN: Oh, it does apply.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yeah, so 31(7).

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

J. DINN: Okay. But hospital itself was excluded from the bill. Is that just an oversight then?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: No, the bill applies to hospitals.

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

J. DINN: Okay, perfect.

Section 6 on page 9, although this is a clarification of the objects of the college, are there any new responsibilities included here or powers that the college did not have before?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: What section are you referring to?

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

J. DINN: Section 6, page 9.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Okay.

Yeah, so there was just clarity added, reflecting all responsibilities.

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

J. DINN: Perfect, thank you.

In section 8(7), it allows for elected members of the board to be remunerated. This has not previously been the case. Why was this change introduced and have there been problems in the past getting people to come forward to serve on the board?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: This was at the request of the board.

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

J. DINN: Did they indicate a reason why that was necessary?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: No, they requested the change and we obliged. I guess similar to other agencies, boards and commissions of government – while this is not a board of government, the board did request this change.

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

J. DINN: And the rate at which they would be remunerated would be what?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: That's a function of the board.

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

J. DINN: Okay, the board would determine that.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yes.

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

J. DINN: In section 11, on page 12, why are actions or decisions of a committee considered to be actions or decisions of the board? Shouldn't they come back to the board for ratification in the interest of maintaining checks and balances?

In any organization I have been involved with it's always going to come back to the main body for ratification. There seems to be here, a committee making the decision, which is in the action of the board but not coming back to the board for full ratification.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: If you look at section 11, the board may appoint committees to carry out the duties and functions of the board. This is similar to the Medical Act. In fact, it mirrors the Medical Act and it is a governance function.

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

J. DINN: Okay, thank you.

Section 14, in the current act, section 13 mandates that the board keep up a website. Why is that provision removed from the bill?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I'll get you an answer.

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

J. DINN: Thank you.

Section 15, the board is now explicitly allowed to vote on its own remuneration. Are there any checks or balances elsewhere in the bill, the forthcoming regulations or any other college bylaws, to set checks and balances on this ability in the interest of protecting the rights of registrants in keeping fees as low as possible?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So, again, this is a function of the board. This is similar to the College of Physicians and Surgeons. They are a self-regulatory body. Government doesn't set the remuneration of the college, nor would we with the pharmacy college.

Your previous question: Functionality is not required. They do maintain one and it is not consistent in the health profession statutes.

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

J. DINN: But I would assume that a website would be, indeed, a form of transparency, a way to ensure transparency, would it not? I ask that, Chair, in terms of the other regulations about making sure that some of the other regulations insist on that transparency. Maintaining a website would be a key part to that, I would assume.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Yes, so the board currently has one. I don't anticipate – although I guess that would be a decision of the college, but they currently have a website and they have to comply with other acts and regulations that do require transparency.

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

J. DINN: I guess, Chair, then the question is, they currently have a website but now that the provision is removed, they're no longer to maintain that website. If they choose not to, then they're not in contravention of the act.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: But there are other acts of this Legislature and regulations that require transparency of the college.

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

J. DINN: So if I want to go back to the remuneration piece, as I understand it, the request to remunerate members of the college was a request from the board itself. I'm just wondering, did they provide a rationale for that in terms of – well, was it to attract quality members to it, or was it that they found that they were having a hard time retaining people, or was it simply that, well, other boards have it, we should as well?

I'm just trying to get an idea as to where that – that's a request that came from them, did they provide a rationale? I understand that the department was happy to oblige, but I'm just wondering what was the rationale provided?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Well, I would say everything that you've listed pretty much. It does allow them to recruit and to recruit qualified individuals. Most agencies or boards now provide some level of remuneration, so in recruitment, in order to get qualified individuals, in addition to ensure recruitment of individuals, that was the reason for the request.

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

J. DINN: Did they indicate that they had a problem with the recruitment of people before? That's what I'm trying to get at. Did they indicate and were able to demonstrate that they had a challenge finding people to sit on the board?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: It was indicated that it was for recruitment purposes.

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

J. DINN: But they didn't indicate if they were having a problem finding people or keeping people? I'm just trying to get – you might have people sitting on a board no problem, but it's one thing if they have empty seats, empty places, and they can't get anyone on it, as opposed to having people who sit on it.

I'm just trying to get an idea. Did they indicate or offer proof that they were having some serious problems attracting people?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So there's a considerable time obligation required, they did indicate that, and that because of the time commitment that is required, that they wanted to remunerate members of the board, which would help with recruitment.

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

J. DINN: Okay.

Section 16(1)(b)(iii), I'll try to get the page number. That would be on page 14 and 15. It is designed to allow internationally trained applicants to be registered.

Would the minister be able to provide some examples of the requirements that such applicants will have to meet?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So, again, that's a function of the regulator, but many of the colleges now – we know that the College of Registered Nurses made changes to better enable the province to recruit; the College of Physicians and Surgeons made changes to better enable the province to recruit; and no difference here.

Basically, the act is saying that an individual doesn't have to be trained or currently practicing in Canada to be considered by the college for registration, provided they can provide the necessary requirements in terms of education and other requirements to be regulated in the province.

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

J. DINN: Thank you.

In section 19, what insurance currently covers pharmacy students and why are they now being required to pay for their own?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I will confirm with officials, but pharmacy students were not currently contained in the legislation. They now are contained in the legislation. So I would say that is added simply because pharmacy students are now contained in the legislation and can be registrants of the college.

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

J. DINN: If I may ask, is there insurance that currently covers pharmacy students?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: I'm not certain of that, I say to the Member, because previously – well, until this legislation passes, they weren't previously registered by the college, so this clause would be similar to other registrants to the college. These students are now able to be registered with the college.

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

J. DINN: Would pharmacists be responsible for their own insurance or is there an insurance program then that would cover pharmacists in general? Forget the pharmacy students, but is there insurance, like I guess a group insurance of sorts? Would there be individual plans or would it be like a group plan that pharmacists could enter into?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: That's a good question; I'll get you the answer.

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

J. DINN: The question I would go with, in follow-up, why I'm asking that is then if indeed pharmacy students are not going to be included under this act, why wouldn't they also be entitled to be part of that plan or are they expected to find their own insurance, I guess? I'm just trying to say would they have the same rights and privileges maybe that a full-fledged pharmacist would have now that they're apart of this act?

With section 42, fines, when increasing the maximum fine, how was the decision arrived at or the figure of \$25,000 arrived at?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: To your previous question, the department is not sure where insurance is obtained but the board sets what insurance is acceptable; would not have the same rights and privileges as a student but could perform some tasks requiring the need for insurance.

So students would operate under the supervision of a fully licensed pharmacist. But this allows them to operate and become registrants of the college.

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

J. DINN: So would it be fair to say that if they're operating under the supervision of the pharmacist, then the pharmacist insurance would cover them as well? That's what I'm getting at. In other words, again if a student teacher is in a school, then obviously they would be under the purview of the teacher of the district, they would be covered by that insurance.

I'm just trying to get an idea of here, with the pharmacy student, would they be covered under existing insurance for that pharmacy, or would they still have to go out and get their own? That's what I'm after there.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: The department is not sure where the insurance comes from. The college, or soon-to-be college, is self-regulating and this is really an operational issue within the college.

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

J. DINN: I agree. I'm looking here at: "A person who satisfies the following requirements is entitled to be registered as a pharmacy student ... (c) provides proof that the person has obtained professional liability insurance coverage in a form and amount satisfactory to the college."

So this student is still a student. It would seem they haven't really started working but they have to go out and find insurance to cover them while they're doing their practicum, I guess, for lack of a better word.

I'm just wondering here, is there any discussion here as to what that would look like? More importantly, if they have to do that, why wouldn't they be covered under whatever the pharmacy has while they're a student?

It seems to be putting a burden on the person who doesn't yet have the ability to be a full-fledged pharmacist and make that money – to have that ability. If I'm correct in thinking, I think medical students would have access to an insurance plan as well.

I'm just trying to get an idea here. Are pharmacy students on their own, or are they able to tap into what's available to other pharmacists or be covered under the pharmacy itself?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: The information that I have provided by staff is that the college will set the requirements – may be satisfied it falls under a group plan. If it falls under a group plan, may be part of insurance or could be individual, depending on their scope and depending on the employer.

If the employer wants a student, sometimes they'll cover the cost of insurance under employment. There's nowhere in the act that says that the student has to pay, just that they need to be covered. I think it's consistent with other acts.

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

J. DINN: Okay, thank you.

That's it.

CHAIR: Okay.

The Member for Mount Pearl - Southlands.

P. LANE: Thank you, Chair.

Just on that note that my colleague was just talking about, does a student have to be part of the college or the student can be part of the college? Is it a requirement or a choice?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: If they're going to practise, they would have to be part of the college. No different than a resident who's still considered a medical resident, who's still considered a student being part of the College of Physicians and Surgeons.

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

P. LANE: Currently, that's not the case, Minister? So until this change is made, right now, if I'm a pharmacy student, I don't have to be part of the college? Is that right?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: This act will allow students to operate under the oversight of a pharmacist. So that's one of the changes in the act.

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

P. LANE: Okay.

So they'll operate under the responsibility of the pharmacist, I get that, but wouldn't they be doing that now? If I'm a pharmacy student right now before this act is changed and I have to do on-the-job training type of thing, I would have to work under a pharmacist right now, would I not, and I

wouldn't be part of this college or association as it is now?

I'm just trying to understand what the difference is between now and what it will be with the change, as it relates to a student.

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: Okay, so the pharmacy students are currently covered under the existing act. This is new legislation. So pharmacy students are currently covered under the existing act, they're currently registered. Pharmacy technician students, previously, that course was not offered in the province. It is now. So a pharmacy technician student, if they were a student, would perhaps get their on-the-job training elsewhere outside the province. I'm not sure, I can't speak specifically, but now that that program is offered in the province, this now captures a pharmacy technician student who can now be registered under the college as well.

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

P. LANE: Okay. So when this act changes and I'm a student and I have to fall under the college, will I, as a student, have to pay a membership fee or something to be part of this, even though I'm only a student at this point in time?

CHAIR: The hon. the Minister of Health and Community Services.

T. OSBORNE: So, again, pharmacy students, because you can do a pharmacy course in the province, are currently under the act, they currently have to register. There's no change.

What's changing here is pharmacy technician student. That's now being offered as a course in the province and it is now being captured under the act. So they will

be treated no differently than a pharmacy student, in terms of they now come under the act. A pharmacy student currently comes under the act.

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

P. LANE: Thank you for the clarification.

I have no more questions.

CHAIR: Seeing no further questions, shall clauses 2 to 89 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 89 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: A bill, An Act Respecting the Practice of Pharmacy in the Province. (Bill 66)

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 66 carried without amendment.

CHAIR: The motion is that the Committee rise and report Bill 66 without amendment.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

SPEAKER (Bennett): Order, please!

The hon. the Member for Placentia - St. Mary's and Chair of the Committee of the Whole

S. GAMBIN-WALSH: Speaker, the Committee of the Whole have considered

the matters to them referred and have directed me to report Bill 66, An Act Respecting the Practice of Pharmacy in the Province, without amendment.

SPEAKER: The Chair of the Committee of the Whole reports the Committee have considered the matters to them referred and have directed her to report Bill 66 carried without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

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

SPEAKER: The hon. Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move, seconded by the Minister of Municipal and Provincial Affairs, that this House do now adjourn.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

This House do stand adjourned until 1:30 p.m. tomorrow.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m. 4627