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Speaker: Honourable Derek Bennett, MHA

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The House met at 1:30 p.m.

SPEAKER (Gambin-Walsh): Order, please!

Admit strangers.

Today, we have a new Page with us, Anna Rowe. Anna is from St. John's and is studying political science at Memorial University.

We would like to welcome Anna.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

SPEAKER: Today, we will hear Members' statements from the hon. Members for the District of Exploits, Ferryland, Fogo Island - Cape Freels, Grand Falls-Windsor - Buchans and Bonavista.

The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

Today, I would like to recognize the heroic efforts of Ms. Melinda Sharpe. Melinda is a resident of Bishop's Falls and a parent of one of the volleyball players of Leo Burke Academy.

On October 19, 2024, Melinda was accompanying the team of 22 students in Deer Lake, staying at the Driftwood Inn, when a devastating fire occurred. Melinda woke up at 6:50 a.m. to the horrific scene. She immediately started going through the hallways pounding on doors and telling everyone to get out, there's a fire.

The quick efforts of Melinda and others saved the lives of students, teachers and parents from a horrible fate.

Speaker, I would like for all Members of the House of Assembly to join me in recognizing Melinda and to thank her for her heroic efforts.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

I rise in this hon. House today to recognize an excellent group of volunteers from the Goulds Lions Club in the District of Ferryland.

The Goulds Lions Club have played such an amazing part in giving back to their community and surrounding area. Since the club began in 1976, it has played an enormous part in giving and helping in many ways. Numerous great accomplishments have been attained by the hard work of each and every member past and present.

For several years, during the summer months, no matter the weather, the Goulds Lions Club have run a highly successful drive-in bingo. Many members volunteer their time every Sunday night during the summers months to help.

These bingos allow the club to donate the funds raised to a number of different groups and organizations within the surrounding area.

I ask all Members of this House to join me in congratulating the Goulds Lions Club on the great job they have done and continue to do and wish them nothing but great success in next year's Sunday night summer drive-in bingos.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Fogo Island - Cape Freels.

J. MCKENNA: Thank you, Madam Speaker.

On September 29, 2024, I had the honour and privilege to take part in the celebration held for 14-year-old Lily Butler, of Musgrave Harbour, who was crowned Junior Miss Newfoundland & Labrador 2024.

The contestants who took part in this event displayed great leadership skills, talent and community spirit. They should all be commended for their efforts. Lily is the first contestant outside the Avalon to win this title and she certainly does the District of Fogo Island - Cape Freels proud.

I was invited to join the Town of Musgrave Harbour in a parade, hosted by the fire brigade, to celebrate her achievement. Lily has a direct connection to my hometown of Fogo Island, as her grandmother Caroline McGrath Butler is from the Town of Tilting. I was very happy to meet Lily and present her with a special medal: the 2024 Newfoundland and Labrador Confederation 75th anniversary medal.

Again, we are all immensely proud of Lily for receiving such an award, especially her parents and grandparents. Please let's all rise and show our support and congratulations to Lily Butler, Junior Miss Newfoundland & Labrador 2024.

SOME HON. MEMBERS: Hear, hear!

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

C. TIBBS: Thank you very much, Madam Speaker.

Joseph Patrick Roberts was born on July 8, 1942, to Nora Bridget and John Roberts of Badger. Over the years, Mr. Roberts was known for his many walks across our beautiful province in support of the Janeway. Raising well over \$100,000, he no doubt helped many families and was an inspiration for many more.

Joe spent 26 years working for the Department of Highways and eventually

went on to the teach with the Central Training Academy. Being from a great hockey town, Joe would spend his weekends busing around the AAA Midget IcePak. Joe Roberts thoroughly enjoyed his service to his community and always did it with a wonderful smile.

Along with a lifetime of service, Joe also spent 30 years with the Badger Volunteer Fire Department; 12 of them as chief. There are many great people from the Town of Badger and, make no mistake, Joe Roberts is definitely at the top of that list. Joe passed away on September 26 of this year and is missed by all.

Please join me as I pay tribute to a man who was admired by so many, Mr. Joe Roberts. Godspeed and God bless, my friend.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Speaker, Chris and Karen Ricketts of Plate Cove West, owners of Round Da Bay Inn, have been engaged in some significant philanthropy since arriving back home.

Together, they have spear-headed some wonderful humanitarian efforts. The news media in 2021 covered their part in the 96-year-old veteran, Charles Comrie, making Plate Cove West his home after his late wife's final wish before passing in 2021 was to live there, relishing the friendship of the Ricketts.

Recently, the Ricketts have sponsored a Syrian family with four children, who have lived in a refugee camp for the past 12 years, as well as a Turkish family with two children. In preparation for their arrival this year, a house in Plate Cove West was purchased and work was undertaken to make it into a two-dwelling home to make new beginnings for these two families.

Chris has completed much of the work himself and the workmanship of the new home is a sight to behold. Chris, an artist, sells his paintings to raise funds to support these families.

I ask the Members of the 50th House of Assembly to join me in recognizing and celebrating the humanitarianism of Chris and Karen Ricketts of Plate Cove West.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

SPEAKER: The hon. the Minister of Immigration, Population Growth and Skills.

S. STOODLEY: Speaker, I am pleased to share an update on our government's Working Opportunities Program, a new skills development initiative empowering residents to overcome barriers to employment and obtain education and skills for better jobs, better pay and improved well-being.

Working Opportunities is a \$3.5-million program that supports the provincial government's Poverty Reduction Plan. It enables eligible unemployed or precariously employed individuals to attend a post-secondary program with the benefit of receiving funding for training costs, a living allowance and child care.

This September, the inaugural Working Opportunities class of 44 participants began their journey. These 44 individuals are attending full-time, post-secondary programs ranging from 12 weeks to three years in duration, including practical nursing, paramedicine, pharmacy technician, carpentry and early childhood education. These individuals are learning new skills that will benefit all of us.

Speaker, I ask all the Members to join me in wishing the inaugural class of Working

Opportunities success in their endeavours and I encourage Members to suggest this program to their constituents.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Speaker.

I'd like to thank the minister for an advance copy of her statement.

The PC caucus wishes the best luck to the 44 people beginning their training. They will go on to be valued contributors to some of our province's most important lines of work. Economic prosperity starts with employment and giving people the necessary skills to be valued contributors is important work in the first step.

Despite this new program, the Liberal government spends millions on overseas recruitment of health care and trades professionals in hopes they will come to this province, whilst hindering our own tradespeople from becoming certified through arduous apprenticeship structures. Almost daily, I hear stories of how bright young apprentices face constant roadblocks in trying to become certified in their trades.

Additionally, many of our employed skilled tradespeople are unable to take unpaid time off from their important jobs to upgrade their certifications, as the provincial government does not have all the programs to prevent the loss of pay they face from taking time off. Countless motivated people are deterred from becoming certified in an advanced trade due to government's poor planning and the roadblocks.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

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

We also wish the first cohort of Working Opportunity success in their future endeavours. The more people we lift up, the better. We also hope that when they enter the workforce they find jobs that are well-paid, fulfilling and have good working conditions. That's why we call upon this government to overhaul the *Labour Standards Act* so that all workers, no matter their skill level, are better protected, make a living wage and have a safe work environment.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Any further statements by ministers?

Oral Questions.

Oral Questions

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

T. WAKEHAM: Thank you, Speaker.

Speaker, yesterday the Seniors' Advocate said she "adamantly opposes the conversion of single occupancy rooms in long-term care homes to double occupancy."

I ask the Premier: Will you cancel your decision?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Madam Speaker.

Of course, we've heard from the Seniors Advocate. As was said here in the House yesterday, the intent was never to force seniors into double-occupancy rooms. The intent was to, if there was a couple, for example, who wanted to avail of a double occupancy, that we provide that as an option.

That said, that is an operational issue of Newfoundland and Labrador Health Services. However, I can tell you, having heard the feedback from some individuals and from the Seniors Advocate, we are today going to put a stop to that.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Thank you.

Speaker, it's good to hear that government realizes that their lack of planning has disadvantaged seniors and now they're going to reverse that decision. That's good to hear.

One of the other things that the Seniors' Advocate has opted for, she has called for: "... we must have provincial Long Term Care Legislation to protect the best interests of seniors living in long-term care."

I ask the Premier: Can we expect this legislation in this sitting of the House?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Madam Speaker.

Of course, everyone in this House understands the importance of seniors throughout our communities. Certainly, we saw the challenges with respect to the pandemic and the challenges that places on long-term care facilities.

Madam Speaker, we have endeavoured to look at a review and, as I understand from

the Minister of Health, a report is forthcoming.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, I hear from the Premier that they have not yet received that report. So we're anxiously awaiting it. That's good to hear. I'm glad to see that there is a report coming. I would hope that report would be made public when it does arrive here at the Premier's office or the minister's office.

Seniors are being warehoused in acute-care beds all over the Province of Newfoundland and Labrador right now because of a lack of planning on behalf of this Liberal government.

I ask the Premier: Do you know how many seniors that require long-term care are actually occupying acute-care beds?

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

J. HOGAN: Thank you, Madam Speaker.

I don't have the exact number right now, but I certainly look forward – the Member was speaking about the report or looking forward to the report. Just to let everybody here in the House know, as soon as we get it, it will be made public. Of course, there will be financial analysis that needs to go into that as well to make sure that we deliver proper care and living spaces for our seniors throughout the province.

As Health Accord NL says, it really wants us to focus on seniors, including seniors living at home and aging well at home, this is what we heard. Seniors want to stay in their houses. This is why the government provides things like the caregivers grant to allow seniors to have that flexibility to stay in place and age well at home.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Madam Speaker.

Speaker, our office has talked to a family who were shocked to be told that their mother was rushed to the hospital in an ambulance, only to find her in a steel waiting room chair when they arrived.

Speaker, why are seniors who come to a hospital by ambulance being forced to sit in a waiting room chair?

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

J. HOGAN: Thank you, Madam Speaker.

I have had conversations with NLHS about emergency rooms in this province and certainly the emergency room here at the Health Sciences. They're doing everything that they can to make sure that it is as accommodating and welcoming as it can be for someone who is obviously brought to an emergency situation.

As I said, this government is focused on seniors, making sure that they're looked after and they're treated as best as they can, as they're the most important people in this province. They put in a lot of time here; they raised families; they've worked; they've delivered for Newfoundlanders and Labradorians and this government is going to deliver for them.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: It is nice to hear that. They've been called out for the last several weeks on this issue, how they're treating the seniors, and now they're finally starting to pick up some things that people have been saying in the media.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: It is good to hear that they're listening to the Opposition.

Speaker, I'll tell you why the seniors are sitting out in those chairs in the waiting rooms. We've learned from an access to information request that the government has a fit-to-sit project that actually moves seniors and others from stretchers into waiting room chairs.

Is this the new minister's strategy to deal with critical ambulance shortages?

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

J. HOGAN: Thank you.

I'll just say again what I said. I had a conversation with members of NLHS just last week about any possibilities of overcrowding in the emergency room here in St. John's and, of course, we do want seniors to be comfortable. We want everyone to be comfortable. We're working on that, and I've asked NLHS to make sure that's a top priority, Madam Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: You know, Speaker, fit to sit – I had a 90-year-old senior in my district sit for 18 hours in a steel wheelchair that arrived at the hospital in an ambulance. I have many stories in my own district. I spoke with this publicly and the minister knows. I've been

on the media about this a few weeks back. If we've lost our compassion in health care – that's the problem here. Government are not listening, plus we've lost our compassion to deliver health care in this province. It's a failure on this Liberal administration.

Speaker, if someone is rushed to the emergency room by ambulance, they must be critically ill or injured. Is avoiding a red alert more important than patient care, Minister?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Madam Speaker.

Let me get an opportunity for my minister to rest his voice there for a sec.

Certainly, we understand and have appreciated that there's been incredible stress and strain on the emergency departments across the entire province. It's why on the Northeast Avalon, as an example, Madam Speaker, we have ensured that we're creating new pieces of infrastructure. A modern emergency department is being constructed today in the footprint of the Health Sciences Centre. There are two urgent care centres happening in the Northeast Avalon and a new downtown clinic.

All of this is an attempt to take the pressure off the hard-working women and men in the emergency department and to provide better care for patients. Patients expect better care and we're going to provide it, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

I repeat: If someone is rushed to the emergency room by ambulance, they must

be critically ill or injured. Is avoiding a red alert more important than patient care? I ask it again.

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Madam Speaker.

I had the opportunity to be an end-user of the health care system not too long ago, in which a member of my family was rushed to the emergency department in an ambulance. We participated and I can tell you I saw the hard-working, front-line women and men and paramedics and nurses –

SOME HON. MEMBERS: Hear, hear!

A. FUREY: – LPNs, radiation technologists, all on the front line, making sure that things were moving as fast and as efficient as they can be.

We endeavour to improve the flow through the emergency department by availing of new processes, modern technology, including expanding the scope of practice, integrating paramedics under one roof, Madam Speaker, to ensure the quality of care continues. We will continue with increasing pieces of infrastructure, increasing the footprint of the Health Sciences emergency department, which, by the way, is the same as when I was a medical student.

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

B. PETTEN: Thank you, Speaker.

Premier, you've acknowledged there was a failure what your government was trying to pull off out in Western Newfoundland with putting seniors – doubling them up in their rooms. With this fit-to-sit project, will you cancel that as well?

That is an unfair treatment to seniors. Because you know, like we all know,

predominantly, seniors are travelling in ambulances and are put out in metal wheelchairs. That's not an acceptable way to treat an aging population that we have.

You can smile all you want, Premier, but you can answer the question: Do you agree with fit to sit? Answer the question.

AN HON. MEMBER: What's your answer?

B. PETTEN: Treat seniors with respect is my answer.

SOME HON. MEMBERS: Hear, hear!

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

J. HOGAN: Thank you, Madam Speaker.

So, as I said, the Health Accord NL recognizes the importance of seniors and we're doing a lot of work to treat seniors with the respect and dignity they deserve, whether it's at home, whether it's a long-term care home or whether it is in the emergency room.

But, of course, the emergency room is not just for seniors and when anyone shows up in an ambulance, they are appropriately triaged by the nurse in that emergency room. That work is done by professionals, not politicians to decide where those patients need to go to have the treatment that they deserve.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

The title of this briefing note, it's called: Ambulance off-load delays. So that's how we are treating our seniors – off-loading them. Get them out of the ambulance, get

the ambulance on the road and put the senior in the waiting room. They don't care how long they're there; they don't care what they're sitting in.

Minister and Premier, do you really agree with this?

Let's be honest, out of 40 Members in this House of Assembly and people of this province, I ask the question: Who agrees with treating seniors like this? Not me; not this side of the House.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: Speaker, yesterday the minister insulted seniors in Western Newfoundland by saying they should be happy to share their bedroom. The Premier has cancelled that today. We are looking for this to be cancelled as well.

Today, we learned of another program, the government's fit-to-sit program – we are still waiting on an answer in that – that's more focused on putting ambulances back on the road than patient care.

Is this the senior-friendly ER that the Health Accord has envisioned?

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

J. HOGAN: Madam Speaker, that's not what I said yesterday. I never said we were doing anything about seniors like that.

I said that there might be seniors, and it's important to have flexibility, that may want to be in a room with someone else. Like, I don't know, their husband or wife.

Personally, I like spending time with my wife and if I was a senior, I would want to be in a room with her.

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: I have a lot of good friends. If we are old and seniors and hanging out with

the b'ys in the rooms, that's fine with me, but for people who don't want to do that, that's fine too. All I was saying was that there is flexibility. It's not one or the other; it is both.

It's called options and we are preparing to give people options. But, of course, we heard from the Seniors' Advocate. If that's not what individuals want, we are not going to force it. We are not going to make people do something that they don't want to do, especially seniors.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: I'll remind the minister that flexibility is created out of need or want, not necessity. It was a decision made based on a lack of beds.

Speaker, yesterday the minister said, outside this House, that internists are paid the same in St. John's as Clarenville. Would he like to correct his statement?

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

J. HOGAN: Thank you, Madam Speaker.

I believe what I said was that there are internists here that are paid the same as those in Clarenville. They're all paid within the memorandum of agreement between NLMA and NLHS. There's no way that you can pay anyone outside of that agreement.

However, there are internal medicine specialists who are paid on a sessional rate at St. Clare's Hospital, not at Health Sciences. So even within the city, there are IMs who are paid differently. That will now allow us a sessional rate to put in an alternate payment program plan in place for IMs throughout the province. We can

leverage that to then provide that payment plan, the alternate payment plan, to internal medical specialists throughout the province, which includes Clarenville, which includes Burin and which includes Carbonear.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: I'm confused because he didn't know anything about the issue in Clarenville until Friday – yesterday. But then he did know about it.

So if this has been in place for so long, why hasn't it been addressed since July when you actually did know about it?

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

J. HOGAN: Sorry, I was asked a question yesterday, Madam Speaker, about rates. After the House, which is what the Member referenced, was a question I gave the scrum. I wasn't going to come back in here. It's just not the timing. I was asked about it today, I'm providing that information to the House and to the Member now.

NLHS has been aware of this, this payment plan. They are working on it and they have been heavily recruiting. This is a very difficult position to recruit, Madam Speaker. But I'm happy to report that there are three individuals who are now being recruited and are very close to signing in this area, in this part of the province.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Speaker.

Dr. Woodfine is concerned that internists in St. John's make more than the ones in Clarenville. Special rates – this is a quote – for city specialists syphoning off rural specialists – his words.

Speaker, again, why are residents in my region experiencing second-class health care?

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

J. HOGAN: Madam Speaker, I'll repeat what I said. There was a sessional rate for IMs at St. Clare's. There's not a sessional or special rate for physicians who work in St. John's. In fact, this government recognizes it's very difficult to recruit and retain physicians in rural Newfoundland.

For example, in that part of the province in Clarenville, we've offered physicians \$275,000 for a five-year return of service. That's \$50,000 more than we've offered physicians in St. John's.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Speaker.

They also made an offer to a doctor who's in internal medicine and he turned it down because he didn't get the bonus.

Now, one more thing, Speaker, I've also confirmed that internists in Gander make more than the ones in Clarenville. Actually, they make the same as the ones in St. John's.

Again, is my region being treated differently because they didn't vote Liberal?

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

J. HOGAN: Madam Speaker, I'll just say if there's a name of an individual – and I've had this before since I became minister, there are individuals who think they were entitled to bonuses and just because maybe their paperwork hasn't been filed or hasn't been delivered to the department, they didn't get it. I know that's happened in your area as well.

So we'll work on that. If you can provide the name and they're entitled to a bonus, we will get them that bonus right away.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Speaker.

The names were provided since July. The opportunity to fix it since July until now has come, and you were warned that this was going to happen, now it's happening.

Yesterday, you were in the media saying that there's a doctor who is out there 8 to 4, when the reality is there is no doctor out there from 8 to 4, he's gone on paternity leave and won't be back until April.

Something is not right. Either NLHS is not communicating with you or you're not communicating with them, because if they didn't find out until Friday, you didn't tell them. If you didn't find out until Friday, you didn't read the email I sent you.

Speaker, Gander has a Liberal minister, the Premier and the minister live here in St. John's. Meantime, my colleagues, the Members for Bonavista and Placentia West - Bellevue wonder, like I do, what's going on? We all agree with Dr. Woodfine who again said this is gaslighting and misinformation.

Why is the minister putting one region of the province against the other?

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

J. HOGAN: Madam Speaker, it's just not true. As I said, there's a memorandum of agreement that all physicians need to be paid within that memorandum of agreement. That was a negotiated agreement. Physicians are negotiating now for an increase in pay throughout the province. I've mentioned that there's rural incentives available that are not available to urban practising physicians. So it's not pitting one group against the other.

I think the Member said that this is information he didn't know yesterday. I'm glad he has it now and he can understand that the IMs that he's taking about, there's a sessional rate at St. Clare's, there's not a sessional rate at other parts of the province. That will allow us then to put an alternate payment plan in place for all IMEs throughout the province. That would include Clarendville, that would include Carbonear, that would include Gander, that would include any other community he wants to shout across at me.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Madam Speaker, months after another Liberal photo-op announcement, the province is no closer to implementing breast cancer screening for 40- to 49-year-old women. Speaker, advocates have been speaking out about this inaction.

When are women going to be able to get the access to this preventative health care?

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

J. HOGAN: Thank you, Madam Speaker.

We are certainly closer. Since I've been minister, we've approved almost a million dollars for NLHS to purchase two new machines, which allow for additional screening to take place.

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: Obviously, by lowering the age from 50 to 40, more individuals can now avail of the self-screening and get breast cancer screening. That's going to take more machinery. Like I said, we've approved that almost a million dollars in expenditures for NLHS, so that should be happening very soon.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, it was five months ago when the Premier said he would be taking immediate action. Here we are five months later. Other provinces have moved ahead, but advocates who have met with the province here indicate there does not seem to be a plan – big surprise – but rather excuses for why things were not progressing.

How many more months are women going to have to wait?

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

J. HOGAN: Thank you, Madam Speaker.

I wasn't providing any excuses. I was just providing information that almost a million dollars has been approved for the purchase of two new machines: one for St. John's and one in Grand Falls. With the new machines, we will increase capacity so women now, as

opposed to 50 years old, from 40 to 50 can get that additional screening.

No excuses. Money has been approved. Machines will be here soon.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Advocates have been told, Speaker, no timeline and we are being told the same thing here today. There is no timeline being given.

Speaker, it is one thing to have equipment ordered, but where are the staff going to come from to operate them? NAPE has long spoken out about chronic shortages of technicians, which government has failed to act on.

Can the minister please table the plan with timelines and staffing complement?

SOME HON. MEMBERS: Hear, hear!

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

J. HOGAN: Madam Speaker, I will provide a timeline. The planning for the new breast cancer screening reduction from 50 to 40 will be in January 2025. The Member will be happy to know there's no new staff required to do this in January 2025.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Speaker, yesterday the Minister of Labrador Affairs said: The Department of Health told her they weren't aware of patients being bumped off medical flights, but I regularly advocate to the Department of Health and Community Services to

ensure adequate medical flights on behalf of my constituents.

So my question is: Is the current Minister of Health and Community Services aware of these issues that I've raised?

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Thank you, Speaker.

The Member raises a very important topic. Reliable and timely scheduled medevac and schedevac services to the residents of Labrador are very, very important.

What I said yesterday, Speaker, was that I was not aware, I hadn't received a call all the summer months since the House closed in May. I was down in Health yesterday morning for a meeting, Speaker, and they were not aware.

So since yesterday, Speaker, I did a lot more digging. I have reached right down into the operations of Newfoundland and Labrador Health Services, the health authority responsible for the province, so I have learned about the process, Speaker.

There is a medevac and a schedevac service. If patients are availing, they need to have their name on a list by 2 o'clock the day before they are to fly.

I'll finish, I'm sure there is a follow-up question; I hope there is.

SPEAKER: The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Speaker, I quote *Hansard* from yesterday where the minister said she was in the Department of Health addressing a number of issues. She goes on later to say:

"They're not aware of patients being bumped off flights."

So she said that the Department of Health wasn't aware, which was very concerning to me because I have written, texted and called the former minister of Health and recently the new Minister of Health and Community Services, the CEO of the provincial health authority, the vice-president of the Labrador-Grenfell Health region and the regional director responsible for medical travel in my district regarding specific instances.

This is the problem with silos. I have communicated, plus I have stood in this House of Assembly –

SPEAKER: Question, please.

L. EVANS: My question is: When will constituents finally be able to access health care without having the constant stress associated with medical travel on top of their health issues?

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Speaker, to reiterate what I did say yesterday as the minister responsible for all of Labrador, I have not received a call; I had not received a text. What I actually found out in looking deeper into the process is that –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

L. DEMPSTER: –folks are requested – there is a process in place to have their name on a list by 2 o'clock the day before they are to travel. That was put in place because folks were showing up an hour before and important appointments were being missed.

The other thing that I was actually told by the folks in operations on the ground in

Labrador – and I am just sharing the information that I did receive – is that they were not aware of instances of chemotherapy being delayed or cancelled due to patients being bumped from flight. I also learned that the transportation director had not received any formal complaints in the last five or six months.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Speaker, I get constant messages from patients who have the blue slip in Goose Bay, in the day before, before the time limit, and they're still not able to get on the flight the next day or the next day or the next day. Sometimes it can go on for three or four days.

So actually talking about processes, people show up. I had parents with a diabetic child, who was having problems at home with the insulin pump, with their guardian, and they couldn't get on the flight. They had their slip in on Thursday before, so they were entitled to travel on Friday and they were being told they won't get home even probably on Monday. So that's the issue. That's the truth.

My question again is: When will constituents in my district finally be able to access health care without constant stress associated with medical travel? I'd like the minister to answer that question.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Speaker, the topic today is a very, very important one. We're talking about people gaining access to important medical services. It's very important to me. It's very near and dear to my heart. Some of my constituency live in isolated communities and rely on those same services.

I extend the same hand to the Member that I extended yesterday. If she has specific scenarios and challenges, in my job, I am more than happy to work with you to try and find a resolution for the people that you represent and that I represent.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Speaker, the Minister of Labrador Affairs is responsible for that and the medical transportation program, not the Minister of Health. She's not the Minister of Health. She is not the CEO of the provincial health authority who I've been going to. She's not responsible for arranging the flights, who I've been going to. I've been communicating, so I don't want anyone out there to think that I haven't been going to the right channels.

In actual fact, my constituents have been going public on social media to try to get on flights when they're entitled to travel. So why do my constituents have to go to the public in order to access medical flights? Also, why do they have to go to their MHA for one-offs? We should be fixing the system.

I ask: When will this Minister of Health address the provincial health authority and ensure that patients in my district can get out to their appointments and get home in a timely fashion?

SPEAKER: The Member's time has expired.

L. EVANS: Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Speaker, as the minister responsible for Labrador, my department

touches every single department in this government.

SOME HON. MEMBERS: Hear, hear!

L. DEMPSTER: Every paper that goes through Cabinet Committee touches my department. It matters. Whether it's a mining issue, whether it's a health issue, whether it's a Crown lands issue –

SOME HON. MEMBERS: Hear, hear!

L. DEMPSTER: – my eyes are on it. I appreciate the support that I have had from my colleagues on this side of the House trying to address Labrador issues, Speaker.

Again, we're talking about a very important matter here and it's really important that we hone in on specifics, not on the floor of the House of Assembly, but to sit down – I'm happy to sit with the Member and try and address some of her issues.

What I want to say, Speaker, I have had many different views in this House. I have sat on the other side; I've sat where you're sitting today, but the one thing I never lost sight of is finding solutions for the people that we represent.

SPEAKER: The minister's time is expired.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

An excessive amount of administrative work adds another layer of stress to our health care providers. The NLMA considers the writing of sick notes to be a poor use of a physician's time and is calling for an end to sick notes.

With 175,000 people without a family doctor in our province, will the Premier commit to bringing in legislation to end sick note

requirements for short-term absences from work?

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

S. COADY: Thank you very much. This is a very important topic the Member is raising. It's certainly something that is under active review and active analysis.

I thank the Member for raising this very important issue and please be aware that we understand this issue very, very well and it will be coming forward soon.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: I hope this review is completed in short order, unlike other reviews that have taken place.

Speaker, thanks to the federal NDP, our country now has a pharmacare plan to help millions of Canadians access affordable medication. I've written the Premier about when he will be signing on as a province, but I haven't received a response.

So I ask the Premier: When will he be writing his federal cousins to sign up to this important agreement?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Speaker, we're interested in the federal pharmacare program. We certainly have to make sure that, like some other federal programs, it doesn't encroach on constitutional jurisdiction.

We also need to make sure that the finances are accounted for into the future, not just for five-year increments, Madam Speaker. It's important. We think it's a good initiative. We want to continue to provide substantial pharmacare to people across

the province and if it makes sense, we will proceed.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

Speaker, residents of Labrador are forced to seek health care in St. John's, as so much of it is centralized here in St. John's.

Now, with the announcement of the new ambulatory care hospital that will replace St. Clare's, will government force people seeking treatment from rural areas into expensive hotels for long periods of time?

What does the government plan to do to have accommodations and transportation at this new site similar to what is in St. Clare's now for people who have to come out of region into this area?

SPEAKER: The hon. the Minister of Environment and Climate Change.

L. DEMPSTER: Thank you, Speaker.

I will say I put my ear pod in the second time, because I didn't quite catch all of that, but I just do want to take a moment to, again, talk about the Medical Transportation Assistance Program that is so important to people in the province who have to travel to access specialized care.

We made enhancements to the program within the last two budgets, and we're continuing to review the program. Folks need to travel. There is 100 per cent of the first \$1,000 that's covered upfront. There is a whole process in place and as a part of that provincial medical transportation program, portions of hotel, meals, accommodations, all of that are included in the program, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, again, Speaker.

I thank the minister for the explanation of MTAP, but I'm asking now that St. Clare's has the hostel, we tore down the hostel at the Health Sciences Centre, Labradorians need an affordable place to come and stay when they come in for medical treatment.

I ask the Premier, again: Will there be accommodations at this new site or are you going to force people to stay in expensive hotels and have no accommodations for those coming out of region into the city to seek the health care because there is nothing else outside of St. John's?

Thank you.

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Speaker.

Certainly, that's a fair question and one that has to be contemplated and, certainly, that's not our intention, to have people staying in hotels. We would like to provide an updated, more modern hostel and that will be contemplated in any future infrastructure plans.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The time for Question Period has ended.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

SPEAKER: The hon. the Member for Torngat Mountains.

Does the Member have leave to table the documents?

AN HON. MEMBER: Leave.

SPEAKER: Leave is granted.

Go ahead.

L. EVANS: Thank you, Speaker.

I would like to table a letter from the Minister of Health. It is a response to my letter that I sent him that was titled: Continued barriers to health care for Torngat Mountains patients. His response also copied the Minister of Labrador Affairs.

I would like to table this in response to yesterday when the Minister of Labrador Affairs said there was a question I asked because I heard the Member raising it in the media –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

L. EVANS: I heard the Member raising it in the media, although I haven't had a call or anything to my office specifically. So this shows that she was copied on it.

Also, I would like to table an email –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

L. EVANS: – correspondence with Karen Stone who is the head of the provincial health authority.

SPEAKER: A copy of the email?

L. EVANS: Yes, and the title of the email she's responding to was: Urgent, patients bumped off flight with diabetic child at home. That was also copied to Labrador-Grenfell Health, the acting president for the Labrador-Grenfell zone. That's in response to yesterday when Minister Dempster said: I was in the Department of Health and they're

not aware of patients being bumped off flights.

In actual fact, I'd like to table those two documents to challenge it.

SPEAKER: I ask the Member to withdraw the Member's names?

L. EVANS: I withdraw the name. My apologies, Speaker. I did not intend to use the name.

SPEAKER: Thank you.

Notices of Motion.

Notices of Motion

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I give notice of our private Member's motion.

Speaker, I give notice of the following private Member's motions, which will be seconded by the Member for St. John's Centre.

WHEREAS inflation has caused the price of goods and services to increase rapidly over the past three years; and

WHEREAS wages have not kept up with the rising costs; and

WHEREAS the situation forces many people to make heart-wrenching choices between the necessities such as food, heating or medication; and

WHEREAS the lack of basic goods negatively impacts the social determinants of health and therefore costs the government more money in the long term;

THEREFORE be it resolved that this hon. House supports the removal of the

provincial portion of HST from the home heating products.

This will be the private Member's motion for November 13.

Thank you.

SPEAKER: Further notices of motion?

The hon. the Government House Leader.

J. HOGAN: Madam Speaker, I give notice that I will on tomorrow move the following motion that in accordance with Standing Order 65, the Public Accounts Committee shall comprise the following Members: the Member for Exploits, the Member for Mount Pearl North, the Member for Cape St. Francis, the Member for Labrador West, the Member for Lake Melville and the Member for Placentia - St. Mary's.

SPEAKER: Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

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

J. DWYER: Thank you, Speaker.

These are the reasons for this petition:

The closure of the Canning Bridge in Marystown has had a devastating impact on residents, fire and emergency services and the local economy.

The Department of Transportation and Infrastructure was well aware of the poor condition of the bridge, most recently documented in a bridge inspection report completed in January 2020, which confirmed the Canning Bridge was in poor condition.

Therefore, we petition the hon. House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to immediately begin the process of replacing the Canning Bridge.

There have been some developments since we created this petition and there has been some more developments in the last month. So I call on the minister if he can stand here in the House and give the residents of the Burin Peninsula an update on where we're to with the Canning Bridge, what the timelines are and the course that we're going to take in fully replacing the Canning Bridge.

Thank you, Speaker.

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

Realizing the financial strain many residents of our province face, it is not surprising that we see an increase in the visitations to our local food banks. For decades, our population have had an abundance of fish on our tables and in our diets. Fish being available for our residents at food banks would add nourishment and help reduce the high food insecurity we face in our province.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to advocate with the Government of Canada to add food banks under the persons disability process within the food recreational fishery enabling fish to be available for our vulnerable populations.

Everyone would realize that we've been settled close to the ocean because the ocean has provided our diets and our food sources over the years. In the Bonavista District, since the late 1500s, it's been common. Now we find we do have hardship in providing food for our tables on a

consistent basis, especially the most vulnerable in our society.

We have food banks in my district that are having difficulty having enough supply to fulfill the demand. What this petition proposes is that they would be able to have fish, northern cod, available during the food fishery that will be available for those vulnerable persons to take when they come to get their food hampers.

A person with disabilities in the district can get a waiver that someone else can catch the five fish for them. We're asking food banks for that same provision. Those food banks that would be interested, this would allow them to be able to have fish available for the many people that we have.

If everyone in the House, all 40 districts, could realize that we know where food banks are and if one in four children in Newfoundland and Labrador live in food insecure homes, this petition and this initiative may help move it along a little further, advance it, than it would be a good thing for the province to accept.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

E. JOYCE: Thank you, Speaker.

Before I start my petition, I just want to congratulate the Minister of Education on her newborn. The pictures are just beautiful. Congratulations.

SOME HON. MEMBERS: Hear, hear!

E. JOYCE: I'll read the petition.

We petition the hon. House as follows:

We, the undersigned, call upon the House of Assembly to urge the Government of

Newfoundland and Labrador to: (i) determine – with the input of families – and hire the necessary human resources for students with exceptionalities prior to the end of the academic year – i.e. June 1;

(ii) develop a consistent communication plan – daily and weekly – that is upheld between schools and families to ensure the process towards goals outlined in Individualized Education Plans are being monitored and adjusted, as needed;

(iii) take sole responsibility for providing inclusive education to all students throughout Newfoundland and Labrador, regardless of Indigenous status or federal government approvals under Jordan's Principle;

(iv) providing a safe space for educational staff to encourage – without fear of reprimand – to acknowledge gaps in service delivery, and communicate this with families and appropriate staff in order to develop a constructive solution;

(v) implement annual policy review to evaluate the effectiveness of inclusion education and make necessary adjustments based on feedback and outcomes from educators and families;

(vi) establish post-secondary options for students with exceptionalities who will not meet the criteria of post-secondary schools.

I present this petition again on behalf of the people on the West Coast and I said earlier the Member for Mount Pearl - Southlands has received a number of calls concerning this. I know the Member for Corner Brook was at the meeting also with the families.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

E. JOYCE: I say to the government, we need a policy change on this. We actually need to sit down and revamp the whole

policy on this because what happened in Newfoundland, especially in Corner Brook, with the confusion with the Jordan's Principle and the issues with the Jordan's Principle— and we can have that battle later – but I really feel that we should sit down and look at the policy.

I'll just give you some examples. I know that it is up to the school to notify the parents about what the kid got that year. There were students this year, when the parents brought them to school, were told to go home, they're not in place. They were actually told to go home and brought them home.

As we speak, there are students still without student assistants in schools on the West Coast. There is one who I spoke to Sunday night, who actually dropped off a few petitions, said they haven't even got what they needed. They got some of the resource people to help out, but they haven't got the student assistant for the student. That was Saturday night before I came in, dropped off a petition.

I say to the government and I say it to the minister, this is an opportunity. Let's revamp the program. I can tell you that the stories that you heard, and the Member for Corner Brook attended the meeting also, and the stories that he heard at the meeting is something that we should not have to go through again. It's something that is a lot of stress on the parents, it's a lot of stress on the teachers and the other schools who don't have the student assistants within the class itself and it's a lot more stress when the parents see their kids in soiled clothes and not able to be taken care of. That's how drastic it was this year.

So I just ask the minister, let's make a commitment now to bring everybody together, the principals, the teachers, the student assistants, the parents, let's get this done –

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

The hon. the Minister of Education.

K. HOWELL: Thank you, Speaker.

I thank the Member opposite for the opportunity to discuss this very important issue. As it relates to student assistants and resources in classrooms, that is part of the ongoing conversation in the transformation arm of the Department of Education.

As we look at how we can modernize education here in Newfoundland and Labrador, that's certainly something that we will be looking into. We do also have a review under way now of appropriate allocations based on need, as opposed to based on numbers. So that will be coming in the near future as well as part of our Education Accord, which is going to bring forward a host of information on how we can improve learning conditions in our classrooms.

I will say, if there is any specific student or school that anyone knows of that needs a few extra hours, please by all means draw it to our attention and there may be way that we can get a more appropriate resource into those classrooms.

We will continue to work on that, but I would also like to identify that when we offer supports to students, we want to give it in such a way that there is a benefit to it, there is a learning to it and we want to make our students as independent as possible. So giving these students resources, we want to make sure that it is something that we can build upon, that they can grow their own independence and it isn't simply just putting an additional adult in a classroom. We need it to have a purpose and meaning so that we can enhance the learning environments for our students.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

The background of this petition is as follows:

St. Shott's Road on the Southern Avalon is in need of major repairs. These roads are in deplorable conditions to the point that it is a safety issue. This road is relied on by residents and visitors on daily basis. With a UNESCO World Heritage Site in the area, there is an increased volume in traffic in this region.

Therefore, we petition the House of Assembly as follows: We urge the Government of Newfoundland and Labrador to upgrade this piece of infrastructure for the safety of residents and visitors to allow a safer commute on this roadway.

Speaker, I've done this petition many times as well over the last few years, and we've certainly spoken between myself and you in the district that's represented in between the two of us, where we always argue where it's to in the district. From St. Shotts to Peter's River, there's an area there of pavement that's in dire need of repairs – dire need. It's 38 years old, the pavement is, and it's really not fit to drive on. I've got pictures on my phone, and I've sent them in to the minister or the previous minister on this road.

It's something that there are a lot of tourists in the area. We know when the summer comes in St. Vincent's, it's absolutely blocked up there. It's called the Irish Loop. They're going both ways around the loop. They go on St. Mary's side; they come up the Southern Shore side. Coming from the Southern Shore side, that stretch of road is absolutely horrendous. I have people in the district, not only from St. Shott's and Trepassey, from other areas, when they drive they have a safety kit in their vehicle or a spare tire or a jack to help people out. There was one person up there last summer that had two flats, and now they're stuck.

That's just what happens in this area. But this road is in dire need of repair. We have people who drive campers – with the trailers, they'll tow them down the shore, is what we'll call it, to go around, rather than go across that stretch of road. Motorcyclists will bring it up when I speak about it.

This stretch of road is something that I hope the minister can have a look at and it certainly should be on the radar. I've been doing this petition for a number of years that I've been in here. I certainly hope to get the minister to have a look at this road. I know they have been up doing some patch work on it over the years.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

P. LANE: Thank you, Madam Speaker.

The background to this petition is as follows:

The Department of Education promotes inclusive education as a cornerstone of educational policy in Newfoundland and Labrador, promising to accommodate all students equitably. However, many schools are not able to meet these commitments effectively, leaving students who need support without access.

This lack of resources often results in a situation whereby students are either unable to attend school due to a lack of safety, or students attend school but are not supported to learn and thrive.

Despite the provincial government's obligation to provide an inclusive education, reports from educators, parents and advocacy groups reveal persistent gaps in resources and educational supports. Many students are continuing to face significant barriers in accessing equitable educational opportunities such as: (i) insufficient support

staff; (ii) inadequate classroom accommodations; (iii) lack of transparency and communication between school and home.

Madam Speaker, this is basically the same petition I presented yesterday, the same petition my colleague from Humber - Bay of Islands have just presented. As my colleague from Humber - Bay of Islands says, this is not just a West Coast issue, this is an Avalon issue. I'm sure it's a provincial issue. I've been receiving, I don't know, numerous calls from parents, from teachers, from student assistants over the whole issue of inclusive education, the lack of resources that we have in the classroom. It all ranges.

There are a lot of schools – I've had a few people reach out and say in their school there might be three units or 3½ units – we don't call them people anymore – assigned for student assistants but maybe two of those are vacant. For various reasons, they haven't filled them. Unable to fill them, whatever the case might be. A student assistant might go off sick and they're having trouble replacing that student assistant.

Of course, what happens, the parents are being told upfront in many cases, around here at least, that yes, you do have student assistant hours, but what they're not being told is that student assistant might have three, four or five kids and they could be in different classrooms. So their child who they are anticipating are receiving X number of hours a day, they might only be receiving maybe one-quarter of the time or less than what they've been told because the student assistant is busy over in another classroom with another child.

In many cases, it's the children with the more severe needs, which we do understand, of course, but then a parent would say well, my child, who may not be as severe, if they had that little bit of extra help, they could actually do the regular curriculum

and succeed and so on, but now they're falling through the cracks. They're not getting the help and support they need because the resources are not in place and what resources we do have are being dedicated primarily for the more severe kids.

So it's affecting kids on all ends of the spectrum, whether it be severe or less severe, in terms of their disabilities and issues that they have and, really, what we're doing is we're failing these children. We need to do better.

Thank you.

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

J. DINN: Thank you, Speaker.

These are the reasons for the petition for prohibiting holding fees under the landlord tenancies act:

Private landlords, agencies and other housing providers can charge holding fees to secure a rental property.

Holding fees create significant financial burdens for prospective tenants, disproportionately affecting low-income individuals and families. These fees can lead to unnecessary barriers in securing housing, fostering inequitable and exploitative conditions in the rental market.

Ontario and British Columbia legislation works to protect tenants by prohibiting holding fees, including transferable or refundable fees.

By eliminating holding fees, we can promote transparency, reduce financial strain on tenants and encourage responsible renting practices.

Therefore we, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador

to update the landlord tenancies act to make holding fees illegal.

Speaker, 70 people have signed this petition, in particular. We presented this before. The issue here is that in such a tight housing market, a holding fee doesn't guarantee the tenant or the person seeking a place to live that they're going to have that place. It's just more or less a process, I guess, to hold it, to keep them considered until the landlord decides who he or she is going to rent to.

A lot of the people who call my office certainly don't have it within their means to pay holding fees so it limits then the options that they have. It also creates housing precarity and it does nothing to, I guess, put tenants and landlords on equal footing.

This would be one simple way, it wouldn't cost government anything, but it would certainly create a level playing field between perspective tenant and landlords.

Thank you.

SPEAKER: Seeing no further petitions, I call 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, Motion 1. Speaker, I move, seconded by the Minister of Transportation and Infrastructure, for leave to introduce a bill entitled, An Act to Amend the Labour Standards Act, Bill 82, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Amend

the Labour Standards Act, Bill 82, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. the Minister Responsible for Labour to introduce a bill, "An Act to Amend the Labour Standards Act," carried. (Bill 82)

CLERK (Hawley George): A bill, An Act to Amend the Labour Standards Act. (Bill 82)

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

When shall the said bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 82 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 2. I move, seconded by the Minister for Immigration, Population Growth and Skills, for leave to introduce a bill entitled, An Act to Amend the Medical Act, 2011 No. 2, Bill 83, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to

introduce a bill entitled, An Act to Amend the Medical Act, 2011 No. 2, Bill 83, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. Minister of Health and Community Services to introduce a bill, "An Act to Amend the Medical Act, 2011 No. 2," carried. (Bill 83)

CLERK: A bill, An Act to Amend the Medical Act, 2011 No. 2. (Bill 83)

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

When shall the said bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 83 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 3. I move, seconded by the Minister of Housing, and Mental Health and Addictions, for leave to introduce a bill entitled, An Act to Amend the Registered Nurses Act, 2008, Bill 84, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and

Climate Change shall have leave to introduce a bill entitled, An Act to Amend the Registered Nurses Act, 2008, Bill 84, and that the said bill should now read a first 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.'

Carried.

Motion, the hon. the Minister of Health and Community Services to introduce a bill, "An Act to Amend the Registered Nurses Act, 2008," carried. (Bill 84)

CLERK: A bill, An Act to Amend the Registered Nurses Act, 2008. (Bill 84)

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

When shall the said bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 84 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 4. I move, seconded by the Minister Responsible for Indigenous Affairs and Reconciliation, for leave to introduce a bill entitled, An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act, Bill 85, and I further

move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act, Bill 85, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. the Minister of Health and Community Services to introduce a bill, "An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act," carried. (Bill 85)

CLERK: A bill, An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act. (Bill 85)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 85 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

J. HOGAN: Thank you, Speaker.

I call from the Order Paper, Motion 5. Speaker, I move, seconded by the Minister

for Children, Seniors and Social Development, for leave to introduce a bill entitled, An Act to Amend the Opioid Damages and Health Care Costs Recovery Act, Bill 86, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Amend the Opioid Damages and Health Care Costs Recovery Act, Bill 86, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. the Minister of Health and Community Services to introduce a bill, "An Act to Amend the Opioid Damages and Health Care Costs Recovery Act," carried. (Bill 86)

CLERK: A bill, An Act to Amend the Opioid Damages and Health Care Costs Recovery Act. (Bill 86)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 86 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

J. HOGAN: Thank you, Speaker.

I call from the Order Paper, Motion 6. Speaker, I move, seconded by the Minister of Fisheries, Forestry and Agriculture, for leave to introduce a bill entitled, An Act Respecting Licensed Practical Nurses, Registered Nurses, Registered Psychiatric Nurses and Nurse Practitioners, Bill 87, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act Respecting Licensed Practical Nurses, Registered Nurses, Registered Psychiatric Nurses and Nurse Practitioners, Bill 87, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. the Minister of Health and Community Services to introduce a bill, "An Act Respecting Licensed Practical Nurses, Registered Nurses, Registered Psychiatric Nurses and Nurse Practitioners," carried. (Bill 87)

CLERK: A bill, An Act Respecting Licensed Practical Nurses, Registered Nurses, Registered Psychiatric Nurses and Nurse Practitioners. (Bill 87)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 87 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Speaker, I call from the Order Paper, Motion 7. I move, seconded by the Minister for Digital Government and Service NL, for leave to introduce a bill entitled, An Act to Repeal the Municipal Financing Corporation Act, Bill 88, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Repeal the Municipal Financing Corporation Act, Bill 88, and that said bill be now read a first 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.'

Carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act to Repeal the Municipal Financing Corporation Act," carried. (Bill 88)

CLERK: A bill, Act to Repeal the Municipal Financing Corporation Act. (Bill 88)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 88 read a first time, ordered read a second time on tomorrow.

SPEAKER: The Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 8. I move, seconded by the Minister of Municipal and Provincial Affairs, for leave to introduce a bill entitled, An Act to Amend the Revenue Administration Act No. 5, Bill 89, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Amend the Revenue Administration Act No. 5, Bill 89, and that said bill be now read a first 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.'

Carried.

Motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act to Amend the Revenue Administration Act No. 5," carried. (Bill 89)

CLERK: A bill, An Act to Amend the Revenue Administration Act No. 5. (Bill 89)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 89 read a first time, ordered read a second time on tomorrow.

SPEAKER: The Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

We're getting there. We're getting through them.

I call from the Order Paper, Motion 9. I move, seconded by the Minister of Transportation and Infrastructure, for leave to introduce a bill entitled, An Act to Amend the Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act, Bill 90, and I further move that the said bill be now read a first time.

SPEAKER: I ask the Deputy Government House Leader for another seconder?

L. DEMPSTER: Speaker, I apologize. That will be seconded by the Minister of Fisheries, Forestry and Aquaculture.

SPEAKER: Thank you.

It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Amend the Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act, Bill 90, and that said bill be now read a first 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.'

Carried.

Motion, the hon. the Minister of Industry, Energy and Technology to introduce a bill, "An Act to Amend the Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act," carried. (Bill 90)

CLERK: A bill, An Act to Amend the Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act. (Bill 90)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 90 read a first time, ordered read a second time on tomorrow.

SPEAKER: The Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 10. I move, seconded by the Minister of Housing, and Mental Health and Addictions, for leave to introduce a bill entitled, An Act to Amend Family Relief Act, Bill 91, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Amend the Family Relief Act, Bill 91, and that the said bill be now read first 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.'

Carried.

Motion, the hon. the Minister of Justice and Public Safety to introduce a bill, "An Act to Amend the Family Relief Act," carried (Bill 91)

CLERK: A bill, An Act to Amend the Family Relief Act. (Bill 91)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 91 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you.

Speaker, I call from the Order Paper, Motion 11. I move, seconded by the Minister of Immigration, Population Growth and Skills for leave to introduce a bill entitled, An Act to Amend the Engineers and Geoscientist Act, 2008, Bill 92, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Amend the Engineers and Geoscientists Act, 2008, Bill 92, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. the Minister of Digital Government and Service NL to introduce a bill, "An Act to Amend the Engineers and Geoscientists Act, 2008," carried. (Bill 92)

CLERK: A bill, An Act To Amend the Engineers and Geoscientists Act, 2008. (Bill 92)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 92 read a first time, ordered read a second time on tomorrow.

SPEAKER: The Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper, Motion 12. I move, seconded by the Minister of Municipal and Provincial Affairs, for leave to introduce a bill entitled, An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act, Bill 93, and I further move that the said bill be now read a first time.

SPEAKER: It is moved and seconded that the hon. the Minister of Environment and Climate Change shall have leave to introduce a bill entitled, An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act, Bill 93, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

Motion, the hon. the Minister of Municipal and Provincial Affairs to introduce a bill, "An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act," carried. (Bill 93)

CLERK: A bill, An Act to Amend the Urban and Rural Planning Act, 2000 and the City of St. John's Municipal Taxation Act. (Bill 93)

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

When shall the bill be read a second time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 93 read a first time, ordered read a second time on tomorrow.

SPEAKER: The Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I call from the Order Paper second reading of Bill 65, An Act to Amend the Animal Health and Protection Act.

SPEAKER: It is moved and seconded that the bill entitled, An Act to Amend the Animal Health and Protection Act, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Animal Health and Protection Act." (Bill 65)

SPEAKER: The Minister of Fisheries, Forestry and Aquaculture.

SOME HON. MEMBERS: Hear, hear!

G. BYRNE: Thank you, Madam Speaker.

This bill comes before us in a clear conscience of our collective responsibility towards protecting animals that are in the care of others, that are in the care of people who decide to take responsibility for their care and have an obligation to do so and to perform that obligation with dignity to what we all are in terms of our own humanity.

With that said, Madam Speaker, I am very pleased to be the champion of this particular bill with all of us –

AN HON. MEMBER: Hall of famers.

G. BYRNE: What's that?

SPEAKER: Order, please!

G. BYRNE: Yes, indeed. We're all hall of famers. The hon. Member points out a truism which is when it comes to our responsibilities to protect animals, we all need to be hall of famers. Well done.

SOME HON. MEMBERS: Hear, hear!

G. BYRNE: So with that said, we're all very much aware that this is not always the case. Champions do not always reside amongst us. There are those that would endanger, that would enact cruelty, that would be less than human themselves in actions towards those that are animals that sometimes we regard as our human friends.

That is really the onus that is placed before us, is to be responsible, to take care in understanding the delicate nature of the fact that there are wild animals that are in our province that serve a purpose, that serve our ability to put food on our table, that are part of our natural environment. That circumstance is very different than, say, farm animals which, by their very nature, are there to provide agricultural food but are also in the care of us, that are in the direct care of us.

The level of care that I think is absolutely essential, that must be understood on its fact and on its face, is when someone takes in a pet, a companion animal, that does invoke a very, very strong duty of care.

So the *Animal Health and Protection Act* encompasses all of those situations. It does encompass or it influences and contemplates all circumstances around which we find expectations and norms of behaviours when it comes to protecting from cruelty, protecting animals from indignity, protecting animals from unnecessary harm. Recognizing that those three circumstances are very different in their nature and cannot necessarily be completely overlapped, but the commonality here is that we really do have a responsibility to act to prevent unnecessary cruelty when the situation arises, no matter what the circumstances.

So with that said, the *Animal Health and Protection Act* is one of two statutes, Madam Speaker, that serve this purpose. The other statute, of course, being the *Criminal Code* of Canada. Madam Speaker, the bill provides regulatory and enforcement tools in the service of, what I deem, natural justice. The bill outlines key amendments increasing responsibility of owners and increasing accountability of animal owners.

The amendments include – and I'll just list briefly but in broad form – compliance orders. The bill resolves issues around judicial interpretation of this House's intentions by providing clear definitions, better understood definitions and definitions with greater precision, which is so important in a judicial investigation and interpretation. Those definitions include that of distress, the definition of owner and the definition of abandonment.

This bill also creates rules for the safe confinement of dogs – of canines. It causes prohibitions on the declawing of cats, except where regulatorily permitted. Safe measures for the pasturing of livestock are also included in this particular legislation to

amend the *Animal Health and Protection Act*. In addition to this, we added additional teeth to enforcement measures.

Madam Speaker, I really want to point out something about enforcement to begin. The laws are in place that need to be enforced, but the enforcement, of course, is absolutely important. It is essential. The creation of the Resource Enforcement Division within the Department of Fisheries, Forestry and Agriculture increased the complement of eligible officers, eligible enforcement employees from 55 to just over 90. So we've near doubled the enforcement capacity within the department itself by the management, by alternating the machinery of government, as the expression goes, by creating a greater synergy with the enforcement divisions or branches of Forestry, of Wildlife, of Crown Lands, of a number of different entities within the department, all have the capacity to be able to enforce the *Animal Health and Protection Act*. This is very important.

The other thing that I think we need to recognize is that the RCMP and RNC have enforcement powers under the *Animal Health and Protection Act*. I have to say that due to increased training, awareness within what would normally be traditional roles for criminal enforcement, those enforcement officers now are very fully briefed in all aspects of enforcement of animal cruelty.

In the *Criminal Code* of Canada, there are two statutory provisions, as I said earlier, to be able to really enforce this, to create a deterrent to animal cruelty. It's not only the *Animal Health and Protection Act* and all the positive powers that are contained within, but there are specific sections within the *Criminal Code* of Canada, those powers and determination of which particular charge, where warranted, where an investigation ensues and where there are warranted charges, there can be a determination as to the relative seriousness of the charge and which particular statute should be invoked. That's very, very

important. We have various layers to protect animals, but we're going to make them even stronger.

I mentioned earlier, the draft legislation, the bill kit, does indeed outline all of the different improvements to the bill. But I want to talk a little bit about the definitions. Now someone may say – and I could understand why – altering the definition, what exactly does that do? Why is that so important, it's just a definition?

Precision in language is critical to judicial interpretation. We all have, all of us, a right to the rule of law and to be able to defend ourselves within a court of law using the black-letter language of the law. That is the nature of our judicial system. The black-letter language of law is very, very important.

I'll point out that some of the most important and significant words in legislation are "may" verses "shall." One creates a duty; one creates an option. So I use that not in reference to this particular act, but just to highlight the fact that words matter.

So within the context of the definition of abandonment, to create greater judicial certainty, not only for the courts itself but also for enforcement officers so that they have greater clarity as to their enforcement options, their ability to interpret the situation and see how it applies to the black-letter law, abandonment will now result to mean that an animal appears ownerless, after reasonable steps have been taken to contact its owner; is found on rented premises after the expiration or termination of the tenancy agreement; has been left in the care of another person, establishment or facility and has not been retrieved for more than four days after the agreed-upon retrieval time. In other words, they're in a situation where the duty of care is with someone else but that has elapsed by four days or has been left for more than 24 hours without adequate food, water or shelter.

The bill will amend the definition of distress to state that an animal is distressed if it's in need of proper care, water, food or shelter; in need of reasonable protection from heat or cold, appropriate to the animal itself; sick, injured, abused or in pain or suffering undue or unnecessary hardship, privation or neglect is a matter of distress; confined to an area that is unfit or has insufficient space, lighting or ventilation will be deemed to be a situation of distress; suffering undue or unnecessary anxiety or distress; deprived of veterinary care or medical treatment; kept in conditions that contravene the standards of care prescribed in the regulations; confined in an unsanitary conditions; deprived of the opportunity for adequate exercise; kept on the premises with another animal that may have an adverse impact on that animal; or has been abandoned by the owner in a manner likely to cause distress.

The bill also goes on to amend the definition of an owner which you may find counterintuitive. Why would you necessarily have to define what an owner is? Isn't it, itself, evident? Well, in a court of law, within the judicial interpretation or within the judicial process, that has to be defined with precision.

So an owner is now, or will be upon passage of this draft legislation, a person who has possession, custody, care, management or control of the animal or who is the owner of the property, house, premises or part of a premises where an animal is kept or permitted to live or remain. It includes a person who had possession, custody, care, management or control of the animal before the animal was seized, taken into custody or abandoned. It includes a parent of a minor who is an owner of an animal, and it also includes any other person who has responsibility for the animal itself.

Again, those manners of definition may seem somewhat wrote, but they do matter in terms of enforcement interpretation and judicial interpretation.

I think the crown jewel of this particular bill – all elements of this bill are important, but it is the introduction of compliance orders, Madam Speaker, that I think is something that is particularly noteworthy and particularly deserving of attention. Compliance orders do not currently exist within the *Animal Health and Protection Act*.

There can be an order to remove an animal and to put that animal in tertiary care, into third party care, but there is no capacity under the current act to be able to create a compliance order in that as a step in that process – hopefully not a step, an element of the process, that leads to a successful conclusion that the animal is properly taken care of from that point forward; but it also is relevant that in terms of a judicial concept or a judicial principle of due process, it does establish, within the concept or context of a due process exercise, that individual steps were taken along a continuum of time to establish that there has been an ongoing circumstance of neglect or cruelty.

So this is very important from a judicial point of view because it has been the case in the past in other jurisdictions, not in Newfoundland – I can't point to a case in Newfoundland and Labrador for mindset, but I know that in other jurisdictions where there have been court references whereby someone had their rights to care for the animal forfeited, the animal has been taken, the court has ruled that because it went from an allegation investigation to seizure, there was not a due process that was followed that allowed the owner to take mitigative steps in the course of the care of their animal.

It, basically, went as the expression – I think it's a poor expression, but it may illustrate the point. The only thing that was available to enforcement was a sledgehammer of removal, no matter what the circumstances were around the care of the animal. You went from, basically, the animal being held by the owner to removal. There were no in-between steps.

So that's very important as to what the compliance orders actually will do. They'll provide for the availability, where warranted, orders to be established demanding a quality of care that meets the act. That's very, very important because we will presume – I'll just back up and it's not to say, Madam Speaker, that if an inspector, if an enforcement officer arrives upon a situation which is so egregious that on first view, demands that the animal be removed, that's what can and will happen.

It does not provide, sort of, a pathway of inaction. What it does do is provide a better pathway for action. It allows for a compliance order to be issued and the compliance order can say you must do this and you must do this within a specific period of time or it will advance to the next level. We're going to check back on you and if it's not done, as long as the no apparent evident harm can reasonably occur within that intervening period – assuming that the compliance order will be followed – that compliance order provides a good next step. Treat everyone as though they want to be in compliance with the law. They may have made an error, an error in judgment, an error in fact, an error in the interpretation. Allow them to understand that. Put in regulated, enforceable requirements for them to improve to the level required within the act and its regulations and failure to do so will lead to the next step, which could ultimately be reference to the courts and removal.

With that said, Madam Speaker, this is what the compliance orders to which, I think, are revolutionary and positive in terms of our overall investigation and enforcement of animal health and protection within Newfoundland and Labrador.

I also said that the bill provides for safe confinement of canines, of dogs. Right now, there's a tethering provision. Madam Speaker, I'd like to really note that regulations still exist within, that captures what is to be done in tethering. I'll use this

as an example as to why we move from tethering, within a statutory approach, from a statutory prohibition of inappropriate tethering to statutory approach creating for safe confinement of dogs.

I'll just use this as an example. If there was a situation where a dog was tethered, was chained, but still bit a child, but the dog was tethered and met the requirements of the act, but in a situation that requires for the safe confinement of the dog, that's the key. It's not whether or not you just physically meet the test of whether or not the dog is tethered, chained; you have a responsibility as the owner to make sure the safe confinement of the dog. So you cannot escape through a loophole of, well, the dog was tethered, so I've met the test. You have the responsibility to meet the test of safe confinement of the dog and, in terms of the regulations around the tethering itself, that is covered in regulation.

With that said, we also have prohibitions for the declawing of cats, except where established by regulation that it would be appropriate, and the regulations will indeed make that clear.

We also have measures for the safe pasturing of livestock. We want to make sure that situations occur where livestock are controlled and they're safe. We also recognize, Madam Speaker, that there are instances of legacy pastures. I am aware of a legacy pasture. I visit it every summer. It's a beautiful place. It's called Chimney Cove, just outside of Trout River. That legacy pasture is where the farmers of Trout River bring their cows and horses and they allow them to pasture in an open space. This is a legacy pasture. This will still be allowed.

We will give ministerial authorization for that particular exercise to occur. Should a circumstance evolve where that is no longer deemed appropriate because there are risks and dangers that occur, then that could be reviewed at that point in time. While we respect the fact that livestock, especially

large animals, should be combined, should be controlled, especially within communities, that is an expectation, not just for the safety of people of the community but for the safety of the animals themselves, safe confinement is a reasonable expectation to prevent any kind of overreach of interpretation of enforcement or complaint, we will allow for legacy pastures to continue.

That is, I think, the right thing to do, especially where those legacy pastures, those historic pastures, have always shown to be safe places to keep animals. There are surprisingly – some Members may find it interesting to know – many of those with Newfoundland and Labrador. It is part of our character and nature in rural communities of our province.

We'll also add additional teeth to enforcement. One of the things in addition, as I've said, that we've already expanded is the complement of enforcement officers within the Department of Fisheries, Forestry and Agriculture, nearly doubling them, through our creation of synergy through the Resource Enforcement Division, but we're also going to change the fine structure. We're going to maintain a maximum first offence to be up to \$50,000 in fines or up to six months in jail or a combination thereof. A second offence – and this is what we're adding now – can result in up to \$75,000 in fines and up to 12 months in jail or a combination thereof. So we're really upping the game in terms of enforcement itself. That, I think, is important and I think it will make a meaningful difference.

Madam Speaker, what's not in the bill because it's already in the act, I'd like to point out there are sometimes confusion about whether or not our act has the teeth to be able to prohibit animal ownership after an offence. Yes, it does. In fact, there are many, many circumstances, unfortunately and regrettably, where that provision has been enacted where it is the decision of the prosecutor to request, in sentencing,

whether or not there may be a prohibition for future animal ownership upon conviction. There have been many, many instances regrettably of that being enacted, where people from Newfoundland and Labrador have been prohibited from owning either a certain type of animal, or animals in general, for a set period of time, up to a lifetime ban of owning animals.

It has been suggested or said in some circles, this is a highly emotional issue, and I understand that as the owner of two beautiful dogs, and anyone that harmed my dogs is going to face a consequence. My seatmate, the Minister of Finance, has spent a lifetime in unbelievable professional, ethical care of animals because she loves them and appreciates them and is a shining beacon to everybody as to how we can treat animals.

AN HON. MEMBER: Word class.

G. BYRNE: World class. What is that expression? Hall of Fame; a champion.

But, Madam Speaker, not everybody is like that, so we do have this provision, it pre-exists, it is already in use, it has already been deployed and it is a successful prohibition of ever being in a situation of harming an animal again.

The *Animal Health and Protection Act* under section 76 – I believe it is – does indeed already provide those protections and we're going to keep them.

Madam Speaker, I think we have gone through the key elements of the bill. I'll take my seat. I feel confident in this particular one, we shall receive unanimous support for this particular piece of legislation. We will have all moved it in the right direction.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

It is good to be able to get up here and speak on the *Animal Health and Protection Act*, Bill 65, and I do thank the minister for the briefing on the act. There were some items we did go over in that. I'm sure we'll certainly approve the bill, it's just that we will have some questions when it gets to the Committee stage.

Overall, animals are very important to us. Domestic animals to be used for households and pets and that kind of stuff, it's very important. Far too often in those cases we hear too many horror stories sometimes of the abuse that those animals take and the unfair treatment of them. This act, hopefully, will strengthen some of the enforcement, a lot of the protection for those types of animals and provide the protection that we should be providing to those animals.

More animals, of course, like livestock, provide food to us. Some livestock provide food to us. So the more that we can provide protection to those, we need to provide stability in those situations for animals to be protected and that we can provide the protection. It's good to see this act being brought forward.

This bill amends the *Animal Protection Act* to provide clarity and thus strengthen animal protection in the province. In addition to clarifying definitions of abandoned and distressed, it also explicitly outlaws the declawing of cats. So the definitions of abandonment and, of course, ownership and distress, those are issues that are certainly clarified in those regulations. It's ones that need to be clarified and more emphasis put on that.

The background of this is, these legislative changes follow consultation and what we've heard. Incidents of abuse occur all too

often, like I just said. This bill changes and will give enforcement clarity so that they can more effectively implement the legislation and thus address incidents of animal abuse. In this bill, of course, it adds to the definition of abandonment and what will occur there. It expands the definition of owner and distress; the clarity for owner and the clarity for distress is what will provide the protection to the animals. So we need to certainly have definitions of that so that we certainly know what this bill provides.

Prohibiting the declawing of cats unless medically necessary. That's another protection to those animals that we need to provide. In this bill, there are some explanations of that. Modern language in the containment of dogs. The minister did explain the tethering part and what that contains in regard to the owner. It puts more responsibility on the owners of what they provide to the animals. So knowing who the owner is and how the owner changes and what responsibilities they have to provide to those animals, it provides more clarity.

To permit an inspector to issue compliance orders, this will give more enforcement officials to comply in those areas and for the enforcement people to act on increasing penalties, correspondence and contraventions in this act. It gives the enforcement people more clarity to intervene and, with the fines going up, it provides more protection to those animals so that those cases that we hear on the news, those cases that we see out in the public of the different types of cruelty and abuse to animals, that this doesn't happen. It shouldn't happen. We need to provide more protection to those animals than that.

With that, I don't think I'll speak as long as the champion did, but we'll certainly leave it to Committee and have some questions in Committee.

With that, thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I'll make my comments brief. You know, we do agree that changes need to be made. We've all heard the horror stories and seen the pictures. Just talk to any animal rights group, any SPCA or group in this province and they understand that the changes need to be made and they hear it or rescuing or seeing those animals come into their care many times. I'm glad to see that a lot of these changes will be made in some of these things.

We do have some questions obviously for the minister in Committee but, overall, we support this act and support the changes that it makes. It makes people more responsible and when they take an animal into their care, that there is a responsibility and there is a lot that has to go into it. I always like to remind my kids who constantly ask for a pet, it's like, well, are you going to be responsible? Are you going to take care of it? This animal will require a lot of attention and require compassion and care but also sustenance and so forth. You'll be responsible.

So this is the thing, you know, people have responsibility when they take these animals into care. I know my mom is a dog lover herself; she has two dogs herself. They're her other children, I like to say. Now that I'm moved out of the house. The thing she's says about people who hurt animals, I can't repeat it in this House. These are animals but they're also apart of families but also, at the same time, they need our care. They need our protection. They can't do these things themselves. They need us to help them.

This is why we have to make sure that those who act with impunity towards animals and do not do the things that are

required, they do need to be held responsible. Increasing the fines, having the definitions changed and modified, it just makes it more clear and more concise on what will happen if you fail or neglect these things but not in a malice way.

So I do support this. I thank the minister for bringing this forward and I have do have some questions in Committee.

Thank you.

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

E. JOYCE: Thank you, Madam Speaker.

I looked over the bill. I just wanted to talk on something the minister mentioned – and I thought I heard it and I'll go through it all after – it says the fines are \$50,000 for the first offence. Just for clarity more than anything – I don't know if I misheard that or not. I was just asking my colleague and he, actually, never heard that.

This is a bill which is good, which is great for the animals. As a dog owner myself and many cats, there are a lot of good initiatives in this here. We'll go through it during the clauses of the bill, each section, for different questions. There are a lot of great dog owners in Newfoundland and Labrador, a lot, but there are some that need this type of enforcement and need this type.

The other question – and I don't know if the minister can answer it when he finishes. Will the enforcement officers from your department now be allowed to go out and to apprehend a dog or seize a dog or animal that's in distress? I'm going back many, many years when the SPCA used to do it and that was taken away and then it was given over to the RNC and the RCMP. As we know – and there's no fault on the RCMP or the RNC because sometimes if you've got a break and enter and you've got to go and look to see if the dog is in

distress, you know what's going to take the priority.

That's a question the minister could answer after he gets up to close debate on that. If that's correct, that's great. That would be much quicker and then much easier to make sure that if you call and you had a number to call, especially – and who gets a lot of these calls that are volunteer groups. I would say that out our way, the first ones to get the call would be the SPCA. They used to be able to go and had the ability to apprehend a dog and make sure the dog was taken care of and make sure to review if the dog's house in the wintertime is properly insulated. If there's water there, if it's fed, if it looks malnourished, then they had the authority to apprehend the dog.

That was taken away, I'm going back probably 12, 13 years ago. Then it went over to the RCMP. I can understand it, because some people do get a bit touchy if you're coming in taking their dog and trying to ask them questions about it. But if the enforcement officers and number is well known, that would be great. That would give the added assurance to the SPCA or whoever is making the call that we know that people with the expertise will come and to help apprehend the dog.

I've seen on many occasions where animals were neglected and there's a lot of confusion sometimes, what do you do? I know a couple of times when I went in and took a dog, and there was a bit of back and forth to it, but I ended up owning one of them after. It was the best move I ever made. It was a bit of conflict, but it was done for the right reasons and the way it worked out. So I know all about the trials and tribulations of a dog being neglected, I can assure you that. This is one bill that I will support and will be asking questions.

Something else I'm going to bring up to the minister during the Committee stage is, how about cats? This is great for the dogs, but if you speak to any group, you find that the

cats have a greater issue because a lot of cats end up in a dump site. I know a lot of animal groups out our way who build shelters for them in the dump sites. Scaredy Cat tried to get them and spay and neuter them and put them back into the environment.

There was a push years ago for some way to get the legislation that cats should be spayed or neutered. Because what you find with the cats who are roaming, and they have three or four litters a year, four or five litters a year, maybe even more, you're talking about one cat, just a mother, could put out 25, 30 cats and then, as they get four months, they can start having litters. The babies of the kittens, after four months, I think it is, or three months, they can start having kittens. So there is a multiplying of cats in Newfoundland and Labrador and if you listen to a lot of groups that deal with animal cruelty and animals themselves, you find that there is a major problem with cats. This here for the protection of dogs and other livestock is great, but we have to focus on the cats, because cats multiply much, much faster.

When you get a dog and you have it as a pet or there are animals out there in a barn that's not being taken care of, we should provide the shelter and the safety for all animals. But when you have the cats who multiple so quickly and a lot, once they become feral cats, they're very hard to catch. They're hard to catch and once you catch them, you get them spayed and neutered, their nature is to get back out in the wild again.

Spay and neuter of cats, which is something that a lot of people, especially animal groups that I've dealt with on many occasions, feel is part of the legislation. I don't know if that was considered by the department or if it's even on the agenda by the department, but I know it was always a big issue for a lot of animal groups.

That's something I'll bring up to the minister also. It's not included in this bill and I'm not saying that this is not a great bill, it is good. It is a good bill, but it is something that we can probably look at down the road because the number of cats in the province, number of rescue groups in the province for cats is growing. The reason why they're growing is the need for cats, especially feral cats and cats that are just abandoned. That is something again that I'll be bringing up.

I'll take my seat, but I will be supporting this. I think a lot of people across the province, a lot of the animal lovers and a lot of people who see a lot of animals in distress will be pleased with this bill. They should be pleased. I'm sure there are always improvements that people are going to say that we can do. I'm sure there are restraints on the department and this House on some of the things that people want. They may be extreme one way and not as many the other way. But if we could find some way to solve the protection of animals, so they're not suffering, I think we done a good job.

I will be supporting this bill on the face of it. I will be supporting this bill. I will be asking questions on it, but I say to the minister and her staff that's listening, is there anything in the future for cats? Because I can assure you cats is a much bigger problem across Newfoundland and Labrador than people realize here in this House.

I know there are three or four groups that I deal with out in Corner Brook and they are swamped with cats – swamped with cats. So that is big issue that we must deal with also in this Legislature, to give those animal groups the leverage and the ability to try to keep the cat population under control and ensure that they're not freezing to death in the winter in a dump site, that they're not starving to death in a dump site.

A lot of times people see feral cats, there are a lot of injuries to cats because of the nature of being out in the wild. I think we should, possibly in the future if it's too late

for here, look at some legislation for cats also.

Thank you, Madam Speaker.

SOME HON. MEMBERS: Hear, hear!

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

P. LANE: Thank you, Madam Speaker.

I will be supporting the bill as well. Just to say, I like animals, particularly, when they're other people's animals. Because of my busy lifestyle – myself and my wife both work and she has a busy job, and we do a bit of travel and everything else.

Out of love for the animal, dogs in particular – I'd love to have a dog. I'd love to have a black lab or something like that because they kind of appeal to me. I think they're awesome, but I just don't have the time to be walking them and cleaning up after them and feeding them and everything else that goes with it and whatever. So I choose not to have a dog because I know I wouldn't be able to care for them the way that I should be caring for them.

We have had cats. Mostly because the kids wanted to have the cats. After my daughters got married and so on, they had pets of their own. We did have a cat that got left behind, so I had the cat for a number of years. The cat wasn't so bad because you just clean the litter or just dump the litter box, basically, and feed them and they kind of do their own thing.

So in terms of your lifestyle, you can kind of manage a cat a lot better than you could a dog. A dog is like having another youngster. Anyway, the cat is gone now and I won't be having any pets, but I do understand a lot of people have pets; they love pets. If you go around campaigning election time, I'd say two out of every three doors you go to, a dog is going to come to the door or whatever.

I had one politician one time told me that he used to keep a bunch of dog treats in his pocket and when he would be out campaigning, sure enough, the dogs would come. He said, you make friends with the dog, you make friends with the voter. I haven't actually adopted that policy, but I do have someone who told me they used to do that.

Anyway, the bottom line is that anything we can do to protect animals, I think we need to do. This is not a new issue on me. It's not a new issue on the minister either, I will say, because in 2021 I actually attended a meeting with a bunch of animal advocates, if you will, and as a result of that I had contacted the minister. Actually, it was the same minister, but not this time around. It was sort of in between. He was minister and then the Member from the South Coast here, who left the building, he was minister and now we have the same minister back into the role again. So this would have been 2021, when the minister was there the first-time round. I wrote the minister a couple of times. I do believe that the group Rescue NL actually met with him at that time. So it's taken a bit of time to happen but I'm glad it is happening.

I do wonder and I would have to question whether or not Rescue NL, the SPCA, Beagle Paws, all these groups, have they been consulted on this legislation? I don't know if they have or if they haven't.

I'm kind of surprised because the lady with Rescue NL, in particular, she'll contact me every now and then and say anything new on the animal legislation. I haven't heard from her, so I don't know if she's even aware. I found her email the other day, I'm going to email her to let her know that this is here on the floor, but I don't know if she and her group knew about this, necessarily, or if they were consulted.

But I can say that I'm looking at something that she had provided to me, and I believe to the minister, back a while ago, some of

the things that they wanted to see in a new act, which they thought were required. They say here that the act had been passed in May 2012 and it was found to have many improvements regarding living conditions for animals in the province. In particular, there were standards put in place for pens, shelters and so on. They did, however, find the act to be deficient in a number of areas. Some of the areas where they found deficiencies and some of the requests that they had made to amend the act, one of the things was they wanted animals to be defined in the act as sentient beings.

Because in the current legislation – I'm assuming it's still in the legislation – according to them, a dog or an animal is considered property. I believe the terminology is that the animal is property, and they believe that there should be a statement in the act basically to say this is not property of a human, an animal is a sentient being. It has a life, it has feeling, so it sets the tone that you have to treat that animal no different than you would treat a human, basically. But by having the legislation, basically, suggest that the animal is a piece of personal property, no different than a car or a boat or some asset that an individual may need, that's setting the wrong tone right off the bat that this is just a piece of property so it can be treated and neglected no different than if you had a boat or something or a piece of property you neglected to keep it up, upkeep it and paint it and do what you needed. Well, the same thing would go for an animal.

So it was to basically say that this animal is a sentient being. It has feelings and so on. That was one of the requests. Apparently, according to what they have here, in British Columbia, Manitoba, Ontario and Quebec, that is the case, they are considered sentient beings in the actual act and legislation.

They were also looking for implementation of tethering legislation. Now, I understand the minister has indicated that may be in the

regulations, I think he said, which is fine and if there are improvements on tethering that are contained within the regulations, that's a good thing.

The problem, of course, with the regulations is that we don't really get to debate the regulations in the House and see exactly what's in there. If there are going to be changes made, the minister of the day can just make them changes on his or her own. Regulations do not get debated and voted on in the House of Assembly. But tethering was definitely an issue that they had.

Another thing that they have here is they wanted the act to require all breeders to follow specific standards. In other words, to deal with puppy mills and so on. They say here: Newfoundland has a significant problem with puppy mills. Many people are profit breeding with no vetting or consideration of breed, bloodlines, temperament, et cetera. These backyard breeders are producing poor quality animals that normally have health and behavioural issues.

Currently, Newfoundland and Labrador has no regulations to prevent breeding of any kind and we believe that all breeders in the province should be required to be licensed under the provincial government. Under this licensing program, breeders would be subject to: at least yearly inspections and face penalties in the same manner as any business for failures to adhere to guidelines proposed by the law; all breeding animals must be vetted previous to breeding to ensure health and well-being of the animal; all animals that are used for and are a product of breeding must be registered with the town or city and be vetted before sold or placed in a home; senior animals and animals under the age of two shall not be bred under any circumstance; breeding animals must be kept inside with their litter for the well-being of themselves and their young; no animals shall be bred for the sole purpose of profit.

So that's dealing with breeding of animals, puppy mills and so on. It makes a lot of sense to me. That was something that they had asked for. I don't see it here. If it's here and I'm just not seeing it – if it already exists and I'm not aware of it – then I would like clarification that that's the case. But from what I'm seeing here, there's nothing to deal with the breeding of animals and dealing with the issue of puppy mills. That's something that they feel should be there.

They also go on to talk about increasing fines. I see that's in this legislation, so that's a good thing. I'll give that one a tick for sure.

Consequences for abandonment: They say here that abandonment of animals is a serious problem in our province, which we all know to be true. People need to be held accountable for their actions. They're asking that the *Animal Health and Protection Act* adopt a statement that provides consequences for the abandonment of animals.

They're also requesting here to restore the special constable status for the SPCA and for other groups that would meet the standards to be able to fulfil that mandate. They're calling for greater enforcement. I know the minister has indicated that they're rearranging things and, hopefully, there will be some better enforcement. But the reality of it is – and I can tell you, I helped organize a neighbourhood watch meeting, as an example, just a couple of weeks ago in my district because of a neighbourhood that are experiencing a lot of issues. You hear the stories and a number of calls, and it's not that the RNC don't care, it's not that they don't want to do their job, it's not that they're not doing their job, but the reality of it is, they are so swamped with calls – and that's just one neighbourhood – with so many issues. We know we have a lot of serious crime happening now, more than we ever did before, with shootings and drugs and everything else that's going on.

Where does the priority lie? Where do they get the resources to deal with animal issues? Particularly, they're not sentient beings, they're just pieces of property, where do they go on the priority list in terms of that? There are people making calls to the police for lots of issues that we might consider a serious issue, but they have to wait extended periods of time because – not the fault of the police, not the fault of the RNC, not the fault of the RCMP – there's just not enough of them. There's too much happening and they just don't have the resources to be able to respond in a timely manner. So where does that lie when it comes to animal protection? Where's that going to be to in terms of priorities?

I can remember when we were debating the blue zone legislation. I'm not talking about just necessarily enforcing the blue zones as they exist, but a business that has no blue zones and should have blue zones. I can remember when we were talking about that, well, who does that? There was one guy in St. John's and the RCMP do it everywhere in Newfoundland.

But the RCMP, when I checked into it, had not issued one –

SPEAKER: Relevance please.

P. LANE: – citation or complaint about blue zones anywhere in Newfoundland because it wasn't a priority. They didn't have the resources to do it. So this would be no different, I would suggest. Enforcing the animal control act on top of trying to enforce the *Criminal Code* and *Highway Traffic Act*, they just don't have the resources to do it.

Increasing these resources, changing things around in the department to try to make it a bit better, I applaud that; I support that. I'd like to know was consideration given to reinstating the ability of the SPCA and other organizations, provided they have the appropriate training and everything else that comes with it, to be able to intervene in these situations of animal cruelty? That's

what these groups would like to have happen. I don't think it has happened.

They were also talking about increased training for enforcement officers. Recommending regular training sessions, training all across the province, low or no-cost training and mandatory training for at least one municipal employee. Increase the number of available trainers. Stricter enforcement of standards of care. Specialized training for at least one officer from every police department or police detachment, and including a policy and procedure manual for implementation in the training.

They're also suggesting that for the groups that are out there that are protecting animals, whether it be the SPCA, whether it be Beagle Paws, or so on – there's a number of them – Rescue NL, whatever, that this is all being done by volunteers. A lot of times the things they're doing, whether it be spaying and neutering and different things like that, they're doing it out of their own pocket or trying to fundraise to do it or whatever. They feel that, perhaps, there could be some kind of a grant program or something. I am not talking big money but just to help assist some of these organizations in dealing with these issues.

They also talked about they abolished the use of gas chambers for euthanasia. Again, they talk about a policy and procedure manual. The animal welfare consultant for the province is responsible for training of enforcement officers. We would like to see a policy and procedure manual for implementation in training enforcement officers. This manual would also serve as reference when trained officers need to refer back when dealing with a case of neglect or abuse.

So, Madam Speaker, these are some of the things, not coming from me, coming from an animal rescue group. It seems like some of the things that they have asked for and touched on here seem to be captured here

and that's a good thing. I think that at least we're moving forward so I don't want to come across in any way, shape or form as I'm somehow being critical of the legislation or against it because I'm not. I think any movement that we make forward in a positive manner is a good thing.

So I'm not knocking that at all, but I would say that people who are involved in the protection of animals, many of them volunteers who give up so much of their time and effort and energy, there are other things that they believe should be included here that do not appear to be included here. So again, it would come down to, I guess, when we get to Committee of the Whole, unless the minister, when he concludes debate, just wants to reference it, were these groups consulted? Who was consulted on this before these changes were made? Did anybody take this draft piece of legislation and give it to the SPCA, give to Beagle Paws, give to Rescue NL, give it to these groups and say here is what we are looking at doings, what do you think? Did that happen? I don't know, but I would like to know.

Other than that though, again, it is a step in the right direction. At least we're moving forward. At least it will be better tomorrow than it is today. That's a good thing. I thank the minister for being the great champion that he is of this cause.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Lake Melville.

P. TRIMPER: Thank you, Speaker.

This particular bill is extremely important to myself, to my office and to, frankly, a lot of people throughout Labrador and the Island. I was just reflecting. I think it's going to be in three weeks' time or so Bonnie Learning started working with me as my constituency

assistant. I would suggest she's probably the best in the province. Maybe the best we've ever had. I'm going to throw that out there. I got a little bias, of course, but I'm just going to put that out there. I'm staying on topic here, too.

I'm staying relevant to the bill, Madam Speaker, because she has been involved in the SPCA for a long, long time. She's been serving as the vice-president, so if anyone has ever had the chance to come to my constituency office and have a look, chances are you're going to see a litter of pups, or a dog or two, hanging around because she's such a part of it. The way we function is – anyway, I know I can call on her at any hour of the day or night, because she often has to respond. So we have a good, healthy working relationship. Her team around her, people like Lee Hill and others, are so dedicated to this cause.

I have to thank the minister and the previous minister for bringing this forward. I was a part of helping the SPCA and some other advocates in Labrador for some of these changes, and I'm really happy to see them here today. Over the last couple of hours I've been receiving messages from Labrador, as we've been listening to the minister and some of the others speak. I must tell you, it's well received.

A few comments I wanted to put just for background. You know it's interesting for those of us from Labrador – well, I'm going to say especially from Labrador, the four of us. When we come to St. John's, in particular, and you're walking down the street and I see somebody walking a dog, I can pretty well guess where that dog came from. I could pick out maybe even which community.

I'll ask those folks. I'll say is that dog from the North Coast of Labrador and they'll say absolutely. I say that because the SPCA, based in Happy Valley-Goose Bay – there is another one that's just been set up in Lab West – and I look to my colleague, the MHA

for Labrador West – recently. Primarily, the SPCA, based in Goose Bay, handles somewhere in the vicinity of – last year, for example, 588, primarily dogs and puppies. It's not so much cats but dogs and pups at 588 animals. They need a budget in excess of \$400,000 a year.

So think about that. You've got a volunteer board running a huge operation, providing services, I would say, on a municipal level for dozens of communities in Labrador. It is just absolutely commendable. I'm proud to be a great supporter and fan. I have my own dog, Cracker, who is always a great inspiration and company to me. Anyway, I'm just there with so many of the other people who have spoken on this bill today because it is doing a lot of good things.

I wanted to talk about a couple of the aspects of it, in particular, around enforcement. There is enhanced enforcement here. Some of the challenges, as the Member for Mount Pearl - Southlands just pointed out, is policing is a very busy task, a very busy community task. Often, they're triaging, if you like, their calls: What are we going to respond to if we've got a dog that's abandoned and so on?

I understand however, though, with the changes from this bill, Bill 65, and the public awareness, I know I'm going to, and I'm sure many of my colleagues will, put it out there, we've just tightened this up. We're taking these issues much more seriously and looking forward to bringing these changes forward.

I feel that alone, along with a lot of education, I'll be speaking to the RCMP and the RNC who service in my district about the need to take these matters seriously and reminding them that the fines have gotten tougher and the definitions have gotten more specific. So I'm looking forward to seeing that fully enhanced.

Some of the comments that I received, certainly the point about definition of

“abandonment” is extremely important. The SPCA, by the way, serve an advocacy role and they're certainly out there in the community. So the ability to perhaps advise an enforcement officer of a situation with these definitions will be of great help.

The particular point I received just recently here today was on declawing of cats and its prohibition is extremely important. People have told me, and my own experience, this is very much a – I think I would put it in the category of inhumane practice in terms of declawing a cat. So I'm glad to see that put in there.

We don't deal so much with livestock running away and so on, but we are developing agricultural areas, so perhaps it will happen. I know it does occur; nevertheless, I appreciate the advancements on that.

The tighter penalties for offences under the act will certainly do a great deal to raise awareness and so on.

Before I sign off, I wanted to speak a little bit more about the SPCA and just how it functions. They work as a solid network across Labrador. It's everything from the RCMP to people in the communities who will advise the SPCA. They've found a litter of pups; they have abandoned dogs and so on. There's a lot of coordination and logistics that needs to go on in terms of, first of all, sending the kennels up to the North Coast, if it's not in the vicinity of Happy Valley - Goose Bay or Lake Melville. Then companies like Air Borealis, which work very well with the SPCA and others to bring those animals into Happy Valley - Goose Bay, where they are inspected by the vet. They need to be maybe spayed or neutered, other issues and diseases and so on – massive bills.

I think I mentioned earlier that the SPCA needs in the vicinity of \$400,000 a year to operate. Most of that money, over 70 per cent of it, goes to salaries and vet bills

alone. So you've got people out on the streets selling tickets to raise money to help take care of this very challenging situation. I think it's something that we all need to worry about.

Then those animals, after they're dealt with and so on, lots of people looking for some beautiful dogs from Labrador. So I have to say, yours truly and many others, often when we fly down here to this Legislature, I have a kennel attached to my ticket. It's great fun to see these beautiful pups and we go through the routine. I have to say Provincial Airlines are very co-operative on working with this system. The owners down here, when they take receipt of the dogs, they pay for that portion of the cost, but it's still good co-operation from Provincial Airlines.

Finally, I have to do a shout-out to the Valley Vet Clinic in Happy Valley - Goose Bay, while we collectively spend a lot of money on her services, they're very generously applied in terms of her support for this whole situation. So I have to thank, again, this minister and the minister before for bringing these amendments forward. Lots of happy folks this afternoon that are sending me some really good messages.

We may not be done yet, but I have to say, Minister, we've come a long way. Well done.

Thank you everyone. Well done Bonnie and Lee and everyone else in Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

As my colleague from Labrador West said, we'll be supporting this, but I'm just curious here, maybe this can be dealt with in

questions or in closing, it's the *Animal Health and Protection Act* and it talks about abandonment. I'm raising the concern, I guess, we talked about the declawing of cats, keeping dogs safety contained and not permitting livestock to run at large without the consent of the minister, but I'm asking the question in terms of exotic pets. We have reports of turtles that have been released in the Waterford River that are invasive. They are not native to Newfoundland. I remember years ago on the Bonavista Peninsula there were pheasants on the run as well.

Also, back from 2005, 2006, there was an article in the Spawner at that time, Speaker, and it showed this person who had been fishing in a pond out by Gambo. I don't know if it's Gambo Pond itself, but he had reeled in a rather large piranha. The piranha wasn't hooked. It just wouldn't let go of the lure. I remember that picture. It was a black piranha. Obviously, someone had released it into the waterway.

At that time, of course, the water itself – our winters were still pretty cold and unlikely that would survive, but we are getting, now, species here that have been released into the wild because the owners realize that the commitment to look after these pets – a turtle can live quite a while, if I remember the report, up to 75 years. So they don't have the life expectancy of dogs.

I'm just curious here, in terms of the protection of pets – and I realize that other acts might govern this release of pets into the wild, but, certainly, invasive species that (a) may not have the capability of surviving immediately because of the fact that they've been kept in an aquarium. Also, if they do thrive and breed, they also impact the native species.

So I'm just wondering here with regards to this, if there's some anticipation to maybe a registration for people who buy pets that are exotic, that are non-native, maybe also about finding some way of keeping track of

them and also for the humane disposal or disposition of them, whether that's through euthanasia or through bringing them to a place where they can be kept alive in a humane way without being released into the wild.

I certainly support anything that's going to protect the health and well-being of pets, of animals, being an owner of two dogs myself. My daughter fosters dogs from Labrador. So I can tell you it's important, but I'm just curious with regards to the release of this act in relation to exotic pets that are brought in. They're sold and then there seems to be no keeping track of them. It's not like if you see a dog wandering the street, you pretty well know, okay, someone else might own this; unlikely we're going to see a turtle wandering the streets but they will be in the waterways and other species as well.

That's my only concern as to whether the act goes far enough in addressing these issues.

Thank you.

SPEAKER: If the hon. the Minister of Fisheries, Forestry and Agriculture speaks now, he will close debate.

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

G. BYRNE: I want to thank the hon. Members who spoke before this debate: the Members for Exploits, Labrador West, Humber - Bay of Islands, Mount Pearl - Southlands, Lake Melville and St. John's Centre. I know that there's not a Member here in the Chamber that would not want to speak on this, but of course there does appear to be a clear conviction and consensus around the bill.

I'm happy to answer further questions on the floor. But there have been questions that have been raised in statements by Members during the course of debate on

second reading. I'll attempt to answer some of them, if not all of them.

The hon. Member for Humber - Bay of Islands raised the issue of fines and the \$50,000 mark. There may be some confusion on the part of the hon. Member for Humber - Bay of Islands regarding ticketable offences, versus those of distress that would result in a court appearance. It is fair to say that the judicial system has great deference in terms of awarding a sentence. There is a maximum penalty that can be awarded up to \$50,000 and six months in prison for a first offence, and subsequent to Royal Assent to this particular piece of legislation, should that occur, it would be on a second offence \$75,000 and up to 12 months in jail.

I differentiate that from a ticketable offence. It should not be implied that ticketable offences can indeed result in a \$50,000 fine. That would be unconstitutional, as it would be out of balance with the nature of the offence itself. The Supreme Court of Canada has ruled extensively on such matters. But it does indeed create a clear deterrent for inappropriate behaviour by former or current animal owners.

The answer to the next question – can animals be seized by Resource Enforcement Division officers? Yes, they can. It's important to point out that these officers actually have somewhat unprecedented powers in that they can, on complaint, enter a property. They can enter in open sight of a property. Of course, obviously warrants would have to be issued before a dwelling or a barn could be entered. But in the entering of the property itself, evidence can be collected which then could be presented towards the production in an affidavit towards a warrant to be able to enter property.

So that is something that's very important to note, that the law is really leaning down against the offender on this, and the powers of the enforcement officer are balanced by

constitutional respect, while at the same time, ability to collect evidence and seize animals immediately on an open property and, where there is cover by a dwelling or barn or other structure, to be able to seek warrant for the entry.

On the issue of feral cats, it is fair to say that all feral cat colonies start as abandoned pets and that's one of the reasons why this legislation, I think, is very progressive. In the definition of owner, section 2(1)(t), the owner is redefined not only to be the person who is in possession, custody, care, management or control of animal, but also a person who had been in possession, custody, care or management or control of an animal.

So that is an important consideration, that the ownership can reach back to the original owner and that is an important component within controlling feral cat colonies because we know all feral cat colonies start as abandoned pets, and the definition of abandonment also makes this more enforceable.

The next series of questions, I believe, came from the Member for Mount Pearl - Southlands. He asked if there was consultation that was sought. Maybe the Member of Mount Pearl - Southlands is not necessarily aware, there was an extensive consultation launched on April 19, 2022, by the hon. Member for Fortune Bay - Cape La Hune, then minister of Fisheries, Forestry and Agriculture.

That consultation was quite extensive and brought forward many, many things. So the consultation process included all groups. Obviously, I think it would be fair to say that Members within this Chamber would like to be the first recipient, not the last recipient, of draft legislation. There is parliamentary prerogative or parliamentary privilege that does create an onus that this is the Chamber of first approach and this should be the Chamber that draft legislation is – I'd like to live by that philosophy that the hon.

Members that take their place in this particular Chamber are really the ones who should be guided or should be allowed first purview of legislation, wherever reasonable, respecting the fact that the Privacy Commissioner and others sometimes receive advance copies of legislation for their purposes. But this is an important Chamber for many, many reasons. We are electable here. Notwithstanding there are some exceptions to that, that we do share draft legislation, but I, from my point of view, will always like to honour and respect the dignity of this Chamber first.

In terms of sentient beings, one of the issues that I'll raise with the hon. Member for Mount Pearl - Southlands, I appreciate all of his support for this, but I would always bring an err of caution to the implication of personhood on an animal. PETA, People for the Ethical Treatment of Animals, are one of the leading advocates for the designation of all animals as sentient beings. It's to subscribe or prescribe personhood or personhood features to an animal.

I'm not a legal expert in this particular affair, but I always think that if you were to subscribe – I go back to where I began, which is I always view very bluntly of three categories or the scheduling of three types of animals: animals that are in the wild, animals that are in the care for the purposes of production of food and inevitably may be slaughtered and animals that are resident as our companion animals, that are our pets. That are never meant to be slaughtered, that are never meant to be for the production of food. I always divide this in a very simplistic way, but I think a fair-minded way. Those are three categories. To suggest that wild animals actually become sentient beings, I often think of what PETA could potentially do from a legal point of view of such a designation. I don't know if we'd have much of a seal hunt after that.

The issue of puppy mills, of course, is governed. All animals, whether they're from any form, are governed by firm, firm

statutory requirements and regulatory impact. So the notion of a puppy mill, I think that conjures a very negative image and rightfully so. It's for the production of animals on a mass market for mass sale. At the end of the day, any kind of breeder's operation that does not adhere to this regulation, to the strict black-letter law and regulation that is prescribed within, shall be subject to enforcement, prosecution and fine, or upon conviction, a penalty.

I don't differentiate between a puppy mill, which has its obvious impact, but any operation that does not fulfil the strict requirements of this act, any behaviour which does not fulfil the strict requirements of this act, under any circumstances, shall be subject to enforcement and prosecution.

The hon. Member for Mount Pearl - Southlands does rightfully, and I think accurately, recite many of the things that have been stated by different groups. The balance of this House, of course, is to do just that, is to balance those, sometimes, competing interests or within the context of the public good.

The hon. Member does not say where he stands on these issues; he does recite what he has heard. I always encourage the hon. Member to actually say where he – sometimes where you sit is where you stand and where you stand is where you sit. If the hon. Member wants to bring forward where he stands on these issues of sentient beings and other matters, I'd be happy to hear what he has to say.

On the issue of exotic pets – for the hon. Member for St. John's Centre – be advised that these regulations, the introduction of exotic pets are matters of federal jurisdiction, as they come from outside of the country itself. But within provinces, if they're available for sale within the Province of Newfoundland and Labrador, if they're commercially available, abandonment is covered under this legislation. So they would be subject, whether they're exotic or

not, if somebody puts a turtle in the Rennies River, that's abandonment and is subject to enforcement. So we don't have to necessarily differentiate between those categories of animals.

We encourage the federal government to maintain control of our national border in that respect. But within the commercial environment of exotic pets in Newfoundland and Labrador, any mistreatment of any animal held in a retail outfit or held as a pet, owned as a pet, is subject to this act to the letter of the law.

With that said, Madam Speaker, I think we've had a good discussion here this afternoon. Perhaps we'll have more points to bring forward during the course of Committee. I look forward to that discussion and thank you to all hon. Members for your input today.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Is the House ready for the question?

The motion is that Bill 65 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.'

Carried.

CLERK: A bill, An Act to Amend the Animal Health and Protection Act. (Bill 65)

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

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

L. DEMPSTER: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Animal Health and Protection Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 65)

SPEAKER: The hon. Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move that this House do now resolve itself into Committee of the Whole to consider Bill 65, An Act to Amend the Animal Health and Protection Act.

SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve into the 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, 'nay.'

Carried.

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

Committee of the Whole

CHAIR (Trimper): Order, please!

We are now considering Bill 65, An Act to Amend the Animal Health and Protection Act.

A bill, "An Act to Amend the Animal Health and Protection Act." (Bill 65)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Exploits.

P. FORSEY: Just a couple of questions on clause 1. The definition of abandoned is expanded. It now means an animal that appears ownerless, after reasonable steps have been taken; found on premises after the owner has moved; left at a facility for more than four days after pick-up; or left without water for more than 24 hours.

In the briefing, we were told that this will help vet clinics, and some people were dropping off animals there for health services and never picked up.

This line under the definition of abandoned says an animal considered abandoned appears ownerless, after reasonable steps have been taken to contact its owner.

Can the minister outline reasonable?

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

G. BYRNE: The test of reasonability, of course, is subject to judicial interpretation but I think it's pretty clear on its face what would be reasonable, what a jurist or a judge would determine to be reasonable. For example, if somebody brought an animal to a veterinarian, they would probably have to provide some sort of background documentation, a telephone number, an address, so the officers could use that information, if volunteered, to try to contact the owner. You could canvass the neighbourhood to try to get input from neighbours as to the whereabouts of the owner today or may be in the future or who that owner was to be able to establish who the previous owner was because the previous owner is considered, in this act, should it pass, the current owner under the act.

CHAIR: The hon. the Member for Exploits.

P. FORSEY: Clause 2, the definition of distress is expanded as well. Criteria is being placed, similarly, to the definition of abandoned. It mentions that distress would include an animal being in need of reasonable protection from heat or cold.

Would this apply to animals left in cars during the summer in parking lots?

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

G. BYRNE: Again, that is an assessment that would be done by enforcement. If we just take it from a temporal point of view, as the time of year, an animal left in a vehicle, while, let's say, 5 degrees, I think that might be a reasonable event to occur which does not actually inflict a distressing circumstance on the animal. An animal left in 28-degree heat in a confined space with the greenhouse effect, that is a situation of distress. That would be any reasonable person's interpretation.

That's one of the reasons why I say to the hon. Member, through you, Mr. Chair, this is why we are advocating for a broad definition but a precise definition of what abandonment, owner and distress really are.

CHAIR: The hon. the Member for Exploits.

P. FORSEY: For a precise definition, here it is defining distress as "suffering undue or unnecessary anxiety or distress." How can you define distress by using distress twice to define the term?

CHAIR: The hon. Minister of Fisheries, Forestry and Agriculture.

G. BYRNE: The two is not required. Any individual infraction of the schedule, the 11 circumstances as described within, would cause a definition of distress, but it's to

ensure that the distress itself is covered – the suffering is a result of the distress.

CHAIR: The hon. the Member for Exploits.

P. FORSEY: Many of these words are subjective. Will standards be published to help the public and law enforcement understand what meets these thresholds in the province?

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

G. BYRNE: Thank you, Mr. Chair.

In many respects, interpretation is established through court interpretation. It's my belief that on their face, every reasonable person in Newfoundland and Labrador knows what is meant by distress: being in need of proper care, water, food or shelter. There is nobody amongst us who does not understand that distress includes being sick, injured, abused or in pain or suffering undue or unnecessary hardship, privation or neglect.

I could go on, Chair, but I think the black letters on this page do indeed require very little interpretation.

CHAIR: The hon. the Member for Exploits.

P. FORSEY: Okay.

Clause 1 and 3, an owner is now the person who has custody, care or parent of a minor who is in custody of the other person who has responsibility.

Again, we see owner being used in the definition of owner. Again, how can you define owner while including the word owner in the defining of the term?

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

G. BYRNE: That was a little bit of gymnastics, not from the hon. Member, but

could the hon. Member just take the time to – I had to go back to the definition, could you just repeat that question again?

CHAIR: The hon. the Member for Exploits.

P. FORSEY: The question would be using owner in the definition of owner. Again, how can you define owner while including the word “owner” in the defining of the term?

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

G. BYRNE: Where is this –?

CHAIR: It is (3)(t)(iii).

G. BYRNE: Definitions are complementary within definitions. There is a standard legal drafting principle is that if you define something within a definition then that applies to the application of the term within a subsequent definition. Is the hon. Member saying that owner is used twice within paragraph 2(1)(t)?

CHAIR: The hon. the Member for Exploits.

P. FORSEY: Chair, 3(t)(i), owner in respect of an animal and down at paragraph (iii), a parent or guardian of a minor who is an owner of the animal.

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

G. BYRNE: So again, in terms of legal drafting terms, (3)(t)(i) or 3(t)(ii) defines the owner and if the owner is a child, that the parent or the guardian of the minor is also the owner; therefore, subject to enforcement. It’s not a contradiction of drafting terms.

CHAIR: The hon. the Member for Exploits.

P. FORSEY: Clauses 2 to 5 – this section will prohibit a non-medically necessary declawing of a cat. Currently in the legislation, cropping of dog’s ears is

prohibited. This will add to declawing in the same manner. Will a list be available of acceptable conditions where this may take place?

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

G. BYRNE: This is for the declawing of cats?

CHAIR: The hon. the Member for Exploits.

P. FORSEY: Yes.

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

G. BYRNE: Yes, that will be produced in regulation.

CHAIR: The hon. the Member for Exploits.

P. FORSEY: When will these changes come into effect?

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

G. BYRNE: On Royal Assent of the bill.

CHAIR: The hon. the Member for Exploits.

P. FORSEY: For roaming animals, is there a list of free-roaming animals authorized by the minister that will be published?

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

G. BYRNE: It does have to occur by ministerial authority, so that will be made available.

I will say this, that always if there is an historic or legacy pasture, which has not necessarily been authorized by me but is discovered, consequentially, that can be added to the list to prevent any unnecessary burden of enforcement.

CHAIR: The hon. the Member for Exploits.

P. FORSEY: Who is responsible for enforcement?

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

G. BYRNE: All those who bear authority under the act. That includes the Resource Enforcement Division, it includes the Royal Newfoundland Constabulary and the RCMP. It includes municipal enforcement officers, where they choose to be designated. It includes two representatives from my department on Brookfield Road. Those are the individuals that are designated under the act.

CHAIR: That's it.

Any further questions from anyone?

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

First of all, I just want to say in response to the minister's response to my questions and so on, I don't know if I misread or he misheard on the sentient beings point that was brought forward, by the way, by the animal groups, not me, per se, but they were talking about companion animals being deemed sentient beings. So they're not talking about the seal hunt or anything like that that would impact PETA and so on. They're talking about companion animals.

If I didn't say the word "companion" that was a mistake on my part. If I did say it, the minister didn't hear me. It was one or the other, obviously, and that's fine. But they're talking about companion animals being considered sentient beings and being treated as such, not as pieces of property. That was the point they were trying to make.

I think anybody that would have pets and a pet lover – I'm sure the Minister of Finance

would probably say that her dogs are her kids in her mind. They're her babies. I'm sure people I know who have animals, they would agree, they are not a piece of property, they are sentient beings indeed and part of the family. That's the point they're making.

I will say for the record, I agree with that statement because the minister indicated: Where do you stand? Well, I would say that when it comes to pets, companion animals, I believe that they are sentient beings and I believe that it would be positive to have that statement as recommended in the legislation.

By the way, just for the record, I agree with the tethering. I agree with the increasing fines. I agree with the standards. I agree with the issues around the breeding of pets and having standards in place to make sure we don't have puppy mills and so on. I do agree, I think it's a good idea to actually define abandoned and have abandonment in there. That is a serious infraction that's going to be treated very seriously and so on. I agree with more enforcement and training as well.

My question, though, that I would just pose to the minister, I guess, in relation to the last question he kind of answered about who will do the enforcement. Again, I'm not hearing a lot. The RNC, as I had indicated, they're too busy trying to catch criminals that are breaking into people's houses and are selling drugs and shooting people and everything else that's happening, I'm not sure where they're going to have the resources to be dealing with this.

RCMP, same thing, we're hearing all the time about the shortage of RCMP officers. The RNC are actually even taking over RCMP jurisdiction because we don't have enough RCMP officers. The RCMP have been out saying they've been having difficulty recruiting and so on.

Municipal enforcement sounds like a good idea and I would love to see municipal enforcement officers in Mount Pearl, in Gander, in Grand Falls, all those places, to have that ability to deal with these situations, but the key point is that the minister just said: it's available to them if they choose to do it. If that's something they want to do.

So if every municipality that has municipal enforcement says: We're not going at that. Well then, you can knock them off the list. So now we're down to the RNC, the RCMP and I think he said there was one guy in St. John's and a couple of other resource people in the department.

I'm just wondering, and my question would be to the minister, in terms of enforcement – and, again, I'm not trying to be adversarial, I'm really not. This is not against the legislation. This is a legitimate, I believe, question and concern about: Do you have any concerns around the ability to enforce this legislation, given the fact that municipalities don't have to do it, the RNC and the RCMP are way beyond stretched with the resources that they currently have and that you're not going to allow the SPCA, as an example, to go back into the business of enforcement?

I'm just wondering if you can comment on how you feel this would be adequately enforced in the province, given those restrictions.

Again, I'm not knocking what you're doing.

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

G. BYRNE: Well, thank you very much, Mr. Chair.

There are a few things that I was able to glean from the Member's statements. I think caution needs to be exercised with mis-defining what sentient means. Sentient beings, the term "sentient" is generally used

and defined as an animal, creature that has the capacity to experience one or more various states of what we call feelings. So the notion that a companion animal, a dog that is a sentient being, because it's a companion animal is not a sentient being because it's a feral dog, that doesn't pass a very strong science test.

What I would suggest is be very, very careful of the law of unintended consequences. The definition of sentient would apply then to any animal that would have cognitive function or brain function to be able to have feelings. As your dog – well, not your dog because you don't have one – but as my dog, as I come home every Thursday night or Friday morning from a week away, seems to have great joy, probably the most amount of joy of anyone in my household of seeing my return. So be very, very careful of deploying a term thinking that it means something and very defined and narrow in its definition, when, in fact, by application of science, it means much more.

With that said, don't make the mistake of also believing that municipalities do not want to be involved in this. There's municipal training now that will be under way shortly on the provisions of the act. As stewards of good order to their communities, many municipalities want to be enforcement officers. Using enforcement officers is very, very key because they are impartial. Justice needs to be blind. Enforcement officers need to have impartiality in engaging in enforcement activities. That would be true of all enforcement personnel, all peace officers, all those involved in regulatory authority.

So I say that I always appreciate – and we provide funding to the Society for the Prevention of Cruelty to Animals in Newfoundland and Labrador through my department and I wish we could provide more because of the services that they do; but, in terms of the administration of justice, the SPCA would be the first to say they

have very, very strong advocacy roles to play.

In terms of the enforcement of statute and regulation, we're very, very proud to have Resource Enforcement Division personnel, RCMP, RNC police officers, municipal enforcement officers that pass that good test. Not suggesting there's any malevolence or improper intent, but from the application of justice, it's always good order to have officers enforcing regulations that have no other activity other than the enforcement of the regulations and statute itself.

With that said, I think that may cover your questions.

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

P. LANE: Thank you, Minister, and I appreciate the answers.

I'm glad to hear, to be honest with you, if you're telling me that municipalities are signing up, they're on board to do this. I think that makes a whole lot more sense. I think municipal enforcement, to my mind, is going to have much more ability to deal with those kinds of issues than will the RNC and RCMP who are dealing with other very serious criminal matters.

So the Town of Clarendville, Grand Falls, Gander and the City of Corner Brook and Mount Pearl, if they're going to have their municipal enforcement officers trained and doing this work and they're able to do it and it's not going to be a big burden on them to do that and they want to do it, then that makes all the sense in the world. I didn't know that that was actually happening. If it is, good.

Anyway, I have no further questions, Mr. Chair.

CHAIR: Thank you.

I now call on the Member for – in honour of yesterday – the beautiful District of Cape St. Francis.

J. WALL: Thank you, Mr. Chair.

I always appreciate that.

It's good to have an opportunity to ask a couple of questions here on Bill 65, An Act to Amend the Animal Health and Protection Act. Minister, you said earlier – and I'm not going to discuss what was discussed with my colleagues – the protection of animals in our care: Agricultural animals that provide a food source and then wild animals that are harvested as a food source.

I want to go back to the agricultural animals. You mentioned earlier, when you opened discussion for this bill, community pastures. I have five in my district, well used, hundreds of head of cattle on a daily basis on the community pastures; but, as you can appreciate, from time to time there is a Houdini amongst the crowd that does get out of the pasture.

I go back to a time at Cape St. Francis Elementary school when there was 25 or 30 head of cattle on the parking lot of the school and, of course, the drivers couldn't let the kids off the bus because of the cattle being there. I'm just wondering – this can happen at any time and it's no bearing or no offence to the pasture owner. Cattle do get out from time to time.

How will this bill affect the owners of pastures? I also have people who use the pasture and pay, of course accordingly, but how will this bill affect pasture users and cattle that escape from time to time?

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

G. BYRNE: Thank you very much, Mr. Chair, through you, to the hon. Member for the question.

You will be very, very pleased to be able to report back to your constituents, the participants in the community pasture, that the inclusion of compliance orders is a great benefit to those exact circumstances.

Right now, under the current act, there is one of two options for enforcement of significant issues: Do nothing or impound and charge. With the compliance order – it is not in anybody's best interest that the animal leave the pasture, but it can happen. We do not want to criminalize non-criminal behaviours.

That's where a ticketed system does come into place, where warranted, but we also can issue compliance orders, which to those who are of good mind and good faith to the objective that is intended to simply comply with the compliance order, have a nice day.

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

J. WALL: Thank you, Minister, for the clarification. I do appreciate it because the five pastures in my district do provide a wonderful, wonderful service, not only to the farmers, but they are a food source and a source of milk and what have you. I do appreciate that.

With respect to the Enforcement Division, you mentioned you went from a number of 55 to 90. Was that new hires coming into the department? Was that amalgamation of staff? I just wasn't quite clear on that one, Minister, please.

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

G. BYRNE: Thank you very, very much for the question. It's actually empowering authority by those who were already involved in enforcement measures but just different enforcement.

I always use the example of the forestry personnel going down the road in a truck

with the Crown Lands officer in the truck behind him. The two are enforcing very different regulations. By creating synergies, by creating authority capacity for enforcement officers within the Department of Fisheries, Forestry and Agriculture to be able to conjointly enforce common regulations, albeit from different branches, that's what the synergy is.

So there were no specific new hires in this regard. It was empowering officers to be able to work in synergy with each other on the department's portfolio of regulations and authorities.

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

P. DINN: Thank you, Chair.

I just have one question, but I need to speak to it a little bit. If you campaign – and I know all of us went door to door and I can tell you just about every house I went to has a dog or multiple dogs, or a cat or a pet of some sort. So there are huge numbers out there in terms of pets that people own. They're a real –

AN HON. MEMBER: (Inaudible.)

P. DINN: Well, they can't vote, so I don't bring the treats.

They're treated as part of the family. When we come down to improving on the act – and I think it is an improvement, there's no doubt about it here – no act is as good as the enforcement that goes behind it.

We've talked about, you've talked about, I think the Member for Lake Melville talked about enhanced enforcement. You've talked about empowering officers that are currently there and creating a synergy.

My question is around the officer and the inspector. You mentioned that municipalities will receive training on the act. My question, I guess, around this is: What training will the

90 you've mentioned, or any additional, receive in enforcing this act when it comes to ownership of pets and cats and dogs or whatever? Because as you mentioned, there needs to be some impartiality there and there is going to be some such activity.

But when it comes to determining whether a pet, in this case, a companion animal, is abused or not, there needs to be some consistency across the board in how they determine that. So will there be specific training for these 90, and any other additional, in terms of enforcing that particular part of this act?

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

G. BYRNE: Thank you very much, Mr. Chair.

I appreciate the question because it highlights the fact that the training has already occurred. We have the provincial veterinarian who does, indeed, become a focal point for supporting the training of what does constitute neglect. I'm not trying to be tongue-in-cheek here but we don't make this up. This is a phenomena, a justice phenomena, an enforcement phenomena. This is a defined space that many, many jurisdictions are engaged in and want to do the best job possible.

So we take best practices in terms of what are the evidentiary signs of all the elements that we listed out in the act. That training has already occurred. We won't presume that this act is about to pass. If this act passes, then we'll engage in further training to make sure that the updates are well adopted to by our enforcement personnel. We've already got a lot of that work, obviously, already done, so we're prepared to move in that regard.

At the end of the day, if there's a misinterpretation by enforcement officials, it will probably result in a bad result in court, so we really want to make sure – we have

great trust and confidence and respect for our enforcement personnel. They know the rules of evidence. They understand that's what they're in is understanding rules of evidence and applying the facts to the rules of evidence and presenting that within a judicial environment and will do the exact same here.

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

P. DINN: Thank you for that.

I guess just as a follow-up to that. I base this on a past experience I had when I served on municipal council in Paradise. Any stray dogs or animals were impounded or brought to the kennel in Mount Pearl, they would send out their officer to retrieve that animal. I know one came to my house looking to retrieve a stray dog but asked me to go along with him because he was afraid of dogs and I had to help him there.

I guess, the other part of this is, the individuals who are trained as inspectors and enforcement officers, I would assume there'll be some kind of training or compatibility that they're quite capable to do their job.

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

G. BYRNE: Thank you, Mr. Chair.

Absolutely, I think we can take it as unnecessary to say that resource enforcement officers receive training. In terms of their hiring itself, their compatibility to the job is pre-established. The same would be true of municipalities. We know that with certainty that is true of the RNC and RCMP. So the ability to understand the rule of law, to understand the law itself, to make evaluations and analysis of facts in determining the field of evidence and the presentation of evidence, that is incorporated into what is the essence, the DNA, as it were, of an enforcement official.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Thank you, Chair.

Just a question about reporting. I know in *What We Heard*, they did talk about reporting and who to report to. Is there any work being done with this on promoting or having a line or something like that or are you expecting to report directly to RNC, RCMP or municipalities? What are the thoughts on reporting because I know there were some concerns with some of the groups in the *What We Heard* document.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

It's getting a little difficult to hear the speaker.

Did you catch it all, Minister?

G. BYRNE: No, I didn't, unfortunately.

CHAIR: Could I ask the Member to repeat, please.

J. BROWN: Yes, absolutely.

CHAIR: Thank you.

J. BROWN: Based off the *What We Heard* document, I know there were some issues or concerns about reporting to the RNC or the RCMP or municipalities or even sometimes reports go into animal protection groups.

What is some of the stuff, I guess, coming out of this about reporting crime or reporting concerns and stuff like that when it comes to the updates here?

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

G. BYRNE: Well, Mr. Chair, in terms of the reporting of the crime, we don't legislate

that. We provide avenues for crime or allegations of crime to be reported such as Crime Stoppers. Any individual can report this anonymously through Crime Stoppers. Crime Stoppers will indeed refer out to appropriate agencies or an individual can make an allegation directly to authorities.

We are not creating a segregation with our relationship with the SPCA in this. We readily often hear from SPCA organizations and individual members about these kinds of circumstances and we respect and act on them in terms of enforcement.

We can't legislate reporting but we can create avenues for reporting, and that's what we do.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Yeah, absolutely, and I guess just for more clarification: Will there be any additional resources into helping or navigating that reporting that comes in, into how you would, I guess, filter out? Because I know the RNC and RCMP – as the Member for Mount Pearl - Southlands mentioned too – are very burdened and that. Would there be help with this addition of the possibility of municipal enforcement officers or wildlife enforcement officers in the reporting mechanism to help facilitate that better, like, getting that information to them to go and investigate these allegations?

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

G. BYRNE: Well, thank you very much, Mr. Chair.

The RNC and RCMP are already engaged in this activity. This is already a core business of the RCMP and RNC. It's obviously a core business of the Resource Enforcement Division. Municipalities are already engaged in this.

As a youth growing up in my hometown, the local dog catcher was there. The local dogcatcher is now, I would argue or suggest, far more professional. It's professionalized as an enforcement activity.

Where I say that this actually supports enforcement is that the clarity reduces costs. The clarity of the law and the clarity of the ability to prosecute reduced the overall evidentiary collection process. The clarity will reduce the cost because it streamlines and makes it very straightforward, in my opinion, as to how this gets done. That should actually reduce the amount of officer time involved in the investigation and in the presentation of evidence, should a prosecution occur.

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

J. DINN: Thank you, Chair.

Just a question with regard to enforcement. If I understood the minister, is that they can't legislate reporting. Did I hear that correctly?

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

G. BYRNE: I'm not aware of a law that says that we will interpret what must be reported by a citizen. If you can find an example of that, I'd be anxious to hear it.

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

J. DINN: I'm just thinking in terms of as a teacher led by legislation, I didn't have an option. If I suspected abuse of a minor, I had no choice but to report it; the option was taken away from me for good reason.

So I'm thinking here in terms of whether it's in an industrial setting or a farm setting, where if an employee or if someone witnesses blatant abuse of an animal, that they could walk away from it and ignore it. I'm just curious here. I realize how tangly this can get, but I'm just thinking in a blatant

example of cruelty, maybe there should be a requirement to report it.

Anyway, it's not enough to make me say I can't support the bill or anything like that, but I'm just curious in terms of whether the dog was let off the leash for a little bit is one thing; another thing if you see someone severely beating an animal or malnourishing it. Would you not have a requirement to report that if you're aware of it? Or if you're working on a farm where animals are being severely mistreated.

CHAIR: The hon. the Minister of Fisheries, Forestry and Agriculture for a comment.

G. BYRNE: I do respect the hon. Member's history in the profession of teaching, those involved in health care. The fiduciary responsibilities that are associated with holding positions of trust in those kinds of situations are unique and bear with them privileges and responsibilities.

I don't think we're going to unravel on the floor of the House of Assembly in this Committee right now the notion that if you see a crime, you must interpret it as such that the state will require you to, by law, to report it.

I think ethical behaviour does sort of command that direction, that invisible hand but if the hon. Member could provide me with examples, where that is the norm, where a citizen is compelled to come forward in situations outside of holding a fiduciary responsibility, we could consider that for future consideration.

CHAIR: Anything further?

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 23 inclusive.

CHAIR: Shall clauses 2 through 23 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 23 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 Animal Health and Protection Act. (Bill 65)

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

The title has 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.'

The bill has been 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.

Chair, I move that the Committee rise and report Bill 65, An Act to Amend the Animal Health and Protection Act, carried without amendment.

CHAIR: Is it the pleasure of this Committee to rise and report this bill?

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 (Gambin-Walsh): The hon. the Member for Lake Melville, Chair of the Committee of the Whole.

P. TRIMPER: Madam Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report that Bill 65, An Act to Amend the Animal Health and Protection 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 have directed him to report that Bill 65 without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: Now.

When shall the said 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: It is moved and seconded that this House do now adjourn.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

This House stands adjourned until tomorrow at 10 a.m.

On motion, the House at its rising adjourned until tomorrow, Wednesday, at 10 a.m.