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*Speaker: Honourable Derek Bennett, MHA*

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The House met at 1:30 p.m.

**SPEAKER (Bennett):** Order, please!

Admit strangers.

Before we begin this afternoon, in the Speaker's gallery, I'd like to welcome Allison Jones who will be recognized this afternoon in a Member's statement.

Welcome, Allison.

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

### **Statements by Members**

**SPEAKER:** Today, we'll hear statements by the hon. Members for the District of Mount Pearl - Southlands, Placentia - St. Mary's, Placentia West - Bellevue and Mount Pearl North.

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

**S. GAMBIN-WALSH:** Speaker, in the early hours of November 25, 2021, David Coffey was driving from his parents' home in Cuslett to work in Argentia when he noticed a light in the middle of a pond just outside Point Verde. He stopped to investigate and heard a muffled sound like a horn under the water.

Realizing that someone was in a vehicle that was submerging quickly, he called 911 and jumped into the cold water. The truck had not totally sunk by the time he got to it. He was able to help a man out through a window and onto the side of the truck. He then swam back to shore and flagged down an oncoming vehicle. That driver had rope in his vehicle and together they used the rope to pull the man safely to shore and into the care of the paramedics. David then dried his clothes and went on to work. The man who was in the truck recovered.

On October 24 of this year, David Coffey was awarded the Governor General's Medal

of Bravery for a courageous rescue outside Point Verde three years ago.

Join me as I honour David Coffey for this act of bravery.

Thank you, Speaker.

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

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

**J. DWYER:** Thank you, Speaker.

Today, I stand in this hon. house to recognize the Quilts of Valour Sew Day that took place at St. Gabriel's Hall in Marystown located in our beautiful District of Placentia West - Bellevue.

On Saturday, September 21, I had the privilege of joining the Little Bay Heritage Centre Quilters in collaboration with Quilts of Valour Canada. Sewers, veterans and their families from the Burin Peninsula joined together to sew a block or two that would be used to make quilts for ill or injured Canadian Arm Forces members and veterans to show appreciation for their service.

Quilt tops were made along with three quilts that were presented to veterans John Strang, Iris Ducey and Richard Richie from the Burin Peninsula thanking them for their service.

To our veterans that received their Quilt of Valour, I thank you and your families for your service. We are all grateful and hope you all feel the love as you wrap yourself in your Quilt of Valour.

Speaker, I ask all hon. Members to please join me recognizing these amazing groups for coming together to show appreciation and thanks to our veterans.

Thank you, Speaker.

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

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

**L. STOYLES:** Speaker, today, I ask my colleagues to join me in congratulating a young lady in my District of Mount Pearl North.

Allison Jones made history as the first ever delegate from our province to compete in the Miss Canada Earth pageant. In July, this year, she travelled to BC where she was selected as the second runner up.

Allison is a wonderful representative of Newfoundland and Labrador.

As part of this title, she has committed to advocate with several important causes right here in her home community in Mount Pearl. Her advocacy highlights the cruelty issue of stray animals, encouraging people to adopt them and support, and also support for the 2SLGBTQ1A+ community.

Allison's dedication to these causes reflects her dedication to our community. We are proud to have her representing our province on the national stage.

Speaker, I ask all Members to join me in congratulating Allison and wish her well on her life journey.

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

**SPEAKER:** Statements by Ministers.

### **Statements by Ministers**

**SPEAKER:** The hon. the Minister Responsible for Women and Gender Equality.

**P. PARSONS:** Thank you, Speaker.

Speaker, I rise today to recognize November 25 as the launch of the Purple

Ribbon Campaign and the 16 Days of Activism to end gender-based violence.

This year's theme, Come Together, Act Now, emphasizes the role for everyone, including men and boys, in changing social norms, attitudes and behaviours that contribute to gender-based violence.

The campaign also invites us to use our voices and actions to help create a safer, more equitable Newfoundland and Labrador, free from violence, discrimination and fear.

Last December, we announced a bilateral agreement with the federal government that is seeing an investment of nearly \$13.6 million over four years to support provincially tailored National Action Plan to End Gender-Based Violence initiatives.

Our government's violence prevention efforts are grounded in multi-departmental and community partnerships focused on finding long-term solutions to gender-based violence.

We have formed the Provincial Indigenous Women's Reconciliation Council where we are making strides to prevent violence while creating a path forward toward justice, healing and reconciliation.

We are also committed to establishing a ministerial-level committee to end gender-based violence. This work is in the very early stages and we look forward to working with our community partners.

I invite all Members of this House to join me at the Confederation Building on November 25, where we will honour the many women, girls and gender-diverse individuals who have lost their lives due to gender-based violence.

Thank you, Speaker.

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

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

**H. CONWAY OTTENHEIMER:** I would like to thank the minister for the advance copy of her statement.

Speaker, I rise today to join in recognizing November 25 as the launch of the Purple Ribbon Campaign and the 16 Days of Activism to end gender-based violence. The theme, Come Together, Act Now, is an important call for everyone to work together to bring about real change and eliminate gender-based violence.

Intimate partner violence is continuing to increase in this province. Although these ribbon cuttings and themes are necessary, without a comprehensive and coordinated strategy, they are meaningless.

In addition to prioritizing a plan, the government needs also to prioritize action. Victims of gender-based violence should be honoured with concrete steps to find solutions to gender-based violence and intimate partner violence. By continuing to prioritize this, we can hopefully build a safer and more inclusive future for women and gender-diverse individuals.

Thank you.

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

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

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

I thank the minister for an advance copy of the statement and join in recognizing the launch of the Purple Ribbon Campaign.

Although we commend these efforts, we believe that this government should do more to end gender-based violence. Last week, we debated legislation that came from a recommendation of the Nova Scotia

Mass Casualty Commission dealing with impersonating police officers.

We ask government to take a second look at the report and begin to work on its recommendations dealing with intimate partner abuse and gender-based violence.

Thank you.

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

**SPEAKER:** Are there any further statements by ministers?

Oral Questions.

### Oral Questions

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

**T. WAKEHAM:** Thank you, Speaker.

Speaker, this whole land fiasco of Kenmount Crossing started with a phone call. The Premier has said he didn't make the call. The minister has said he didn't make the call.

I ask the Premier: Did someone in the Premier's office speak directly with the developer?

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

**A. FUREY:** Thank you, Mr. Speaker.

To my knowledge, no one spoke directly to the developer, Mr. Speaker. We've been compliant with all the legislative processes in place and consistent with how land has been used for major infrastructure projects in the past for decades within the department.

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

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

**T. WAKEHAM:** It continues, Mr. Speaker, to surprise us that nobody made a call, nobody answered the call, yet the call was made and a call was definitely received.

Premier, when you made the new site announcements for St. Clare's, did you know at the time that you needed 10 acres more of land than what you announced, and why didn't you tell the people of Newfoundland and Labrador at that time?

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

**A. FUREY:** Thank you, Mr. Speaker.

We announced a campus-style hospital that would involve more than 10 acres of land, Mr. Speaker. We were happy to answer questions at the time. We made a comment that a parcel of the land was donated, but there would need to be more to accommodate such a large footprint.

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

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

**T. WAKEHAM:** Speaker, it was almost immediately after, the next day, that he talked about the need to purchase the additional acres at a cost of \$23 million. Surely, it was known at the time.

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

**T. WAKEHAM:** Speaker, in August of 2024, three months earlier, the Liberal government issued an RFP for the design services for a sport and well-being dome, indicating that this dome was to be built at Kenmount Crossing.

I ask the Premier: Do you currently own this site?

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

**F. HUTTON:** Mr. Speaker, I thank the Member opposite for the question.

That RFP is currently working through the process and when we get final decisions made on it, we will inform the House.

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

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

**T. WAKEHAM:** Speaker, the actual release that went out from the department said exactly where it's to be located, off Captain Prim Drive and Kenmount Crossing.

Again, I ask the minister: Do you own the land?

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

**F. HUTTON:** Mr. Speaker, the RFP for that dome is still out into the public domain and we are working on it.

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

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

**T. WAKEHAM:** Speaker, they turned around and clearly stated where this dome is to be located. How can you do that if you don't know that you own the land or not?

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

**F. HUTTON:** Mr. Speaker, there is nothing secret about it. We are continuing the RFP process to look at it and if we move forward with the plan to develop it and build it, we will purchase the land.

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

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

**T. WAKEHAM:** Thank you, Speaker.

Let me rephrase the question: Why did you state in your documents that this dome had to be built on Kenmount Crossing?

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

**F. HUTTON:** Mr. Speaker, it is because it's part of the larger plan at Kenmount Crossing. As we proceed with the plan to build the new acute-care facility at Kenmount Crossing, which is a great opportunity for the province to unlock problems and to fix problems with transportation and infrastructure in the area, it will be part of a larger campus. It's part of a larger parcel.

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

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

**T. WAKEHAM:** Premier, as they say, clear as mud – clear as mud. That's exactly what's happening here.

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

**T. WAKEHAM:** On November 4, the Liberal government announced a 10-acre donation of a parcel of land for the new St. Clare's. It turns out it was 55 acres, at a cost of \$23 million. Now, the fix is in, they've been after this land since August apparently, when the turf dome was announced.

Why are you hiding the details from the people of Newfoundland and Labrador?

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

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

**F. HUTTON:** Mr. Speaker, we're not hiding anything at all. We are developing a new health care strategy for the people of Newfoundland and Labrador.

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

**F. HUTTON:** Part of it will include a health care dome, as the larger parcel is acquired, once the final agreement is signed and we build that hospital, which is on the border of Paradise, St. John's and Mount Pearl.

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

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

**T. WAKEHAM:** Speaker, let me rephrase it again: The government issues an RFP, dictating that the turf dome was to be built on Kenmount Crossing, but they didn't own the land.

Can the minister say or confirm that you don't own the land that you dictated that this turf dome be built on?

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

**F. HUTTON:** Mr. Speaker, I can confirm that we do not own the land yet. But we will, as it's going to be part of the larger parcel to develop the new acute-care facility.

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

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

**T. WAKEHAM:** Speaker, that tells a lot about the poor planning that has gone in, and the announcement – the misleading of this government –

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

**T. WAKEHAM:** But, Speaker, let me tell you about another example of mismanagement brought to you by the Liberal government. The minister boasted to *The New York Times* that the province's website, in small print on Barrow's jerseys, received 58,000 hits a day. Wrong.

Premier, even after an \$8-million contract to m5 advertising, how did the Premier's government get this so wrong?

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

**S. STOODLEY:** Thank you, Speaker, and I thank the Member for the question.

I assure this House that no one was as disappointed as I was when I understood that the information that I was provided by our agency was incorrect, Speaker.

I do want to talk about how successful our immigration efforts have been, though, Speaker.

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

**S. STOODLEY:** Since we've started our UK immigration efforts this August, we've over 900 serious leads with individuals wanting to come to Newfoundland and Labrador, and we've had 100 one-on-one interviews with people in key sectors including health care, early childhood education and construction who want to immigrate to Newfoundland and Labrador.

Thank you, Speaker.

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

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

**T. WAKEHAM:** Speaker, let's deal with another fact. Isn't it true, Minister, that the website traffic during and after the Barrow game actually went down relative to the week before the big game, showing how ineffective the jersey ads really were?

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

**S. STOODLEY:** Thank you, Speaker.

I welcome the opportunity to talk about our immigration. We need people to think about Newfoundland and Labrador when they leave the UK. This year, we have a targeted effort to get people to come from the UK to Newfoundland and Labrador. Because of the UK's changing immigration rules, we believe they want to come to Newfoundland and Labrador. We have –

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

**S. STOODLEY:** Speaker, I'm very sorry; it's very difficult to speak when Opposition are chirping. I'd be happy to answer lots of questions about our immigration policies.

Thank you, Speaker.

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

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

**T. WAKEHAM:** Speaker, it doesn't bode well for immigration stats, that's for sure, when we are going to depend on a jersey to increase our people recruiting from England.

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

**T. WAKEHAM:** Speaker, it wasn't that long ago that this government announced that they had built 750 new homes, and in fact it was 11. The Liberals say they had 58,000 hits a day; it's only 700. They said the land was a 10-acre donation when it was actually 55 acres that had to be purchased at a cost of \$23 million.

I ask the Premier: When will your government stop misleading the people of Newfoundland and Labrador and tell us the facts?

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

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

**SPEAKER:** Are Members ready?

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

**S. STOODLEY:** Thank you, Speaker.

I'd like to speak to the preamble; I think it is extremely important. The Barrow initiative that we undertook this year, the sponsorship, was less than 4 per cent of our total advertising budget over two years. We advertise to make sure the people looking to move, know that they need to come to Newfoundland and Labrador.

Speaker, we use our 3,050 economic immigration spaces extremely wisely. So far this year, we've nominated over 600 health care workers for immigration to Newfoundland and Labrador –

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

**S. STOODLEY:** – including 212 nurses. We also have 48 early childhood educators and 126 residential construction workers, Speaker.

We're very proud. We have to get as many people as possible to think about moving to Newfoundland and Labrador.

Thank you, Speaker.

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

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

**T. WAKEHAM:** Speaker, 750 new homes: actual number, 11; 58,000 hits a day: actual number, 700; 10 acres of land donated, free: actually, 55 acres at a cost of \$23 million.

Again, I ask the Premier: When will you stop misleading the people of Newfoundland and Labrador?

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

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

**A. FUREY:** Thank you, Mr. Speaker, and thank you to the Member for the question.

We continue to develop a hospital to meet the modern needs of the people of Newfoundland and Labrador. It is a perfect location that has the added benefit of having road infrastructure that is much needed for the people of Paradise, the people of Mount Pearl, the people of CBS and the people of St. John's.

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

**A. FUREY:** Mr. Speaker, we'll continue to ensure that we are developing this hospital to meet the needs.

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

**SPEAKER:** Order, please!

**A. FUREY:** I'll tell you where the Members opposite have a short memory though, Mr. Speaker, when they tell me about misleading the public. We could do a lot more in terms of numbers, but if they want to spit out numbers, how about \$500 million a year toward rate mitigation. That is an accurate number –

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

**SPEAKER:** Order, please!

The hon. the Leader of the Official Opposition.

**T. WAKEHAM:** Speaker, people deserve better than this Liberal government.

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

**T. WAKEHAM:** We will do better.

Speaker, I say to the Premier, the Nurses' Union said on Friday that they were troubled by disparaging remarks made toward nurse practitioners in the House of Assembly by a Liberal Member.

Has the Premier spoken to his caucus about this concern and will the Liberal Member who made these troubling remarks stand in the House and apologize?

**SPEAKER:** The hon. the Minister of Digital Government and Service NL.

**E. LOVELESS:** Absolutely. I'm very proud to stand on my feet here in this House of Assembly and to let the Member opposite know I spoke to the president of the union before I came to the House of Assembly and she appreciated the call.

Yes, I have talked to the Premier of this province and I'm going to tell you one thing: There was no poor NPs that was said, it was more – and that came from me.

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

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

**E. LOVELESS:** You asked the question. If you want the answer, I'll give you the answer.

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

**SPEAKER:** Order, please!

**E. LOVELESS:** I am not going to apologize that I'm over here advocating for more nurse practitioners in this province.

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

**E. LOVELESS:** That's our plan. Unlike the Leader of the Opposition, he got no plan.

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

**SPEAKER:** Order, please!

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

**SPEAKER:** Order, please!

Both sides of the House please, enough. We are trying to move forward with Oral Questions.

The hon. the Opposition House Leader.

**B. PETTEN:** Thank you very much, Speaker.

It's good to see that the minister done the right thing. We never made no accusation. We asked a question based on what we are reading in the media. That's all. It was a release. If anyone would ask around, we had our own views on it, too, Speaker.

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

**SPEAKER:** Order, please!

**B. PETTEN:** But he done the right thing, at least he apologized.

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

**SPEAKER:** Order, please!

**B. PETTEN:** Is he going to let me talk or is he going to stand up again?

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

**B. PETTEN:** I thought it was Question Period, I'd like to ask a question.

Am I okay to go, Sir?

**SPEAKER:** Order, please!

**B. PETTEN:** Thank you, Speaker. Thank you, again.

After nine years of this government, arrogance is up, complacency is up and time is up.

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

**B. PETTEN:** Under the *Provincial Health Authority Act*, section 21(2): The authority may, with the approval of the minister,

purchase, lease or otherwise acquire real property.

When did the minister sign off on these leases?

**SPEAKER:** The hon. the Minister of Digital Government and Service NL.

**E. LOVELESS:** Mr. Speaker, I'm going to address the preamble because he asked for it.

You said: Thank you for your apology. I did not apologize because what was said that I said was not said on the floor of this House of Assembly. I said more NPs.

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

**E. LOVELESS:** I know it's funny to the Member for Terra Nova. I know it's funny for the Member for CBS. I understand he's laughing at it, but this is important to us.

What is important to us is that we do have a health care plan that includes the fundamental service of a nurse practitioner and that will continue. I'll advocate for more NPs.

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

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

**B. PETTEN:** Thank you, Speaker.

I remind the minister, I laugh in disbelief. That's all it is. Absolute flabbergasted, Speaker.

Speaker, I ask the minister: When did you sign off on these leases? You have that authority, so when did you do the signing off on those leases?

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

**J. HOGAN:** Speaker, I'd like a specific reference to what leases he's referring to. The issues that's come up about leases since I've become minister, I spoke in the House of Assembly last week on a couple of occasions that the former minister, when he became aware that there were allegations about leases with agency nurses, he wrote the Auditor General, he wrote the CEO of NLHS and he wrote the chairman of the board of NLHS to look into that issue.

My understanding was in August, the leases were terminated. So all I was aware of was leases were being terminated, not approving any leases. I never, as minister, in my short time, approved any leases from NLHS.

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

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

**B. PETTEN:** Thank you, Speaker.

I mean, the minister's name is over the door. Whether it was the former minister or this current minister, they know the details on all this information. What I'm asking here shouldn't be earth-shattering. The minister knows the answer to these questions.

Speaker, the act is clear and the minister is now either misleading the House or he failed to provide the legislative oversight of these improper leases.

So which is it, Minister? Simple question. You know the answer.

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

**J. HOGAN:** Sorry, I don't know, the question is not clear to me, actually. All I can say is that I never signed off on any leases on behalf of NLHS in my time as minister. There are previous ministers in the Department of Health – it goes back a long, long way, Speaker.

I can't speak to everything that every minister has done beforehand. All I can say is that I was aware when I became minister that there had been an issue with agency nurses and leasing and my understanding was leases had been terminated. I did not approve any leases with NLHS.

Thank you, Speaker.

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

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

**B. PETTEN:** Speaker, the minister should have known who signed off on those leases. Shame on him for not knowing that answer. Forget what minister was there, the minister should know that answer. I don't care what minister is there. He should know that answer. He's there right now.

Speaker, according to the press release from the health authority this morning, some 51 leases were terminated in August for contravention of the Conflict of Interest Act.

Why didn't the minister proactively disclose this information back in August?

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

**J. HOGAN:** Thank you, Speaker.

Yes, I was aware of the termination of leases. As I said, we talked about that last week in the House. Of course, NLHS is different than the Department of Health and Community Services. They have taken the steps, as the employer. They are separate from the Department of Health and Community Services and, of course, as we've talked about in this House and as everyone is now aware and as NLHS is aware, the Auditor General is aware of this and is doing a review and investigation into this as well.

So NLHS wanted to make sure they were careful not to do anything to affect the findings of the Auditor General, which we all look forward to receiving in the very near future.

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

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

**B. PETTEN:** NLHS did their own investigation and these leases were cancelled based on their investigation.

Why doesn't that report be made public? We're getting information now and there's more going to come out in the coming days, no doubt. The minister should be aware of this and should be disclosing this publicly long before now.

Speaker, we already know that, under the act, the minister signs off on these leases. We know that. Yet, he continues to deflect his ministerial responsibilities, which we're seeing that.

Speaker, I ask the minister: How much money was inappropriately spent under this scheme?

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

**J. HOGAN:** Thank you, Speaker.

NLHS did some discussions this morning with the media about the situation, so they are being open and transparent. In fact, I did write NLHS as well, this morning, to make sure that now that is a topic of discussion in the media, in the House of Assembly and throughout Newfoundland and Labrador, that they write me back and make sure that they provide the information on the investigation that they did, the details of that and that it is important for the public to be aware, if the public wants to know about that.

I've asked them to do that and I'm sure they will do that in the near future.

Thank you, Speaker.

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

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

**B. PETTEN:** Thank you, Speaker.

The minister needs to realize, and the Premier should, too, this is a very serious issue. This shakes the public's confidence. It is not their money; it's the public's money.

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

**B. PETTEN:** They're entrusted to manage our money. They don't own it; it's the public's money.

Speaker, does the minister support the statement of his officials that these improper leases were well intended?

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

**J. HOGAN:** Mr. Speaker, I'm not sure what officials he's referring to but NLHS, as I said, gave some information this morning on that. I wrote NLHS as well this morning to make sure that it's documented in a letter to me, as the minister, to outline the investigation that they did and the findings that they had.

My understanding is that all the leases were at market price.

Thank you, Speaker.

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

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

**B. PETTEN:** Speaker, you know, he's trying to push off the health authority as not being

under him. Who is it in under? It's so silly. He's the Minister of Health. The health authority reports to the Minister of Health, simple.

Who signed off on the leases, Minister? Did you not sign off on the leases? Did you not?

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

**B. PETTEN:** Unbelievable!

Speaker, last week the minister said there was a violation of the *Public Procurement Act* – another accusation. Then he said I should read the act. The press release from the health authority does not mention it.

Can you clarify what your statement is based on?

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

**J. HOGAN:** Speaker, I apologize for standing up too early, but I did hear a question. The question was did I sign off on the leases and again, for the third or fourth time, I did not sign off on the leases with NLHS.

Thank you, Speaker.

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

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

**B. PETTEN:** Speaker, this scandal is yet another glaring example of mismanagement and poor oversight in our health care system.

We have also been told, internally, recruited nurses were exploited in this scheme. How many internationally recruited nurses who are still waiting for full-time jobs were offered housing instead of a job?

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

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

**S. STOODLEY:** Thank you, Speaker.

I'm very happy to provide information about the nurses that were recruited to Newfoundland and Labrador. Those who've come in from our two economic pathways, the AIP and the NLPNP, we have 110 nurses that have arrived and 31 are on the way before the end of the year, Speaker.

I just want to be clear that any nurse who've come through one of our economic immigration streams, who came with a job offer to be a registered nurse, is working as a registered nurse and can only work as a registered nurse.

Thank you, Speaker.

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

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

**B. PETTEN:** Thank you, Speaker.

Minister, if you never signed off on the leases, who did?

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

**J. HOGAN:** Speaker, as I said, I asked NLHS this morning to make sure that they provide a report outlining the details of their investigation. I can write them again today to make sure that they include details about who signed off on the leases.

At the end of the day, though, I know the lease would have been with NLHS and a landlord.

Thank you, Speaker.

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

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

**B. PETTEN:** Based on the act, the previous minister should have signed off on it, and the current minister should know the answer to that question. But we'll keep digging.

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

**B. PETTEN:** Speaker, this whole fiasco started with a call to Ken Carter in the Premier's office. After months of deflection, this debacle is continuing to unravel. The Premier's office is directly involved in this travel nursing fiasco.

Who signed off on the leases for the houses, and did this also begin in your office, Premier?

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

**A. FUREY:** Thank you for the question.

Certainly, I didn't sign off on the leases, Mr. Speaker, but I do know someone in the House who was in a leadership position when agency nurses started. It's the Member opposite; he was a CEO of the health authority.

Did you, Sir, sign off on leases for agency nurses in Lab-Grenfell Health?

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

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

**L. EVANS:** Thank you, Speaker.

Under Newfoundland and Labrador labour law, your employer cannot interfere with your decision to join a union. But what about the Labour Relations Board?

I ask the minister if workers and unions have met with the minister's office to state that the board is not following the five-day rule for a vote to take place.

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** Thank you, Speaker, and I thank the Member across the way for the question.

I have not met with anybody yet. There's been no request in to me.

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

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

**L. EVANS:** Thank you, Speaker.

Workers in unions have met with us to state that, in this province, it's taking weeks and months, not the five days required.

During these delays, workers' jobs are put at risk, stories of intimidation and bullying. I am told that these delays are a failure of the Labour Relations Board to work within the five-day rule.

Minister, how can this government allow worker confidence in our laws to be eroded? What are you doing to get the board back on track?

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** Thank you, Speaker.

Of course everything we do here in Labour, as I've said before in this House, is we're always working, listening to both sides, the employers and employees, and we want to strike a balance. I've just brought in amendments to the labour act, just a week or so ago in this House, supporting and protecting workers around long-term illness, long-term injury, organ donation, et cetera. We also meet on the other side, supporting people on the business side, Speaker.

We don't want to do anything to add extra burden to the businesses in this community.

But I'll certainly take away what the Member has raised here and I will report back to this House.

Thank you.

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

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

**L. EVANS:** Speaker, this is not about extra burden to businesses; this is about the Labour Relations Board following the law – following the law.

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

**L. EVANS:** The *Labour Relations Act* says: "Where a vote is taken it shall be taken no more than 5 days, excluding holidays and weekends, after receipt by the board of the application for certification."

So I ask the minister: How can this minister allow the Labour Relations Board to get away with not following the rules set out in the act?

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

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** Speaker, the Member across the way asked me if they had met with me and brought this up to me, and I am not recalling anything to date. I did tell her I will take it away and I will look into it.

There has been a lot of meetings since I came into this portfolio late in the summer. As I said before, in those settings, we're working to promote and facilitate a stable and constructive labour relations climate in both the public and the private sector.

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

**SPEAKER:** The hon. the Member for Ferryland.

**L. O'DRISCOLL:** Speaker, it has been five years since the House passed speed camera legislation, yet not a single ticket has been issued. Meanwhile, reckless behaviour on our road continues, with recent reports of vehicles travelling 151 kilometres, 180 kilometres and even 201 kilometres per hour.

How much longer will the residents have to wait before this government finally takes action to make our roads safer? And let's not hear the answer: Stay tuned.

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

**SPEAKER:** The hon. the Minister of Digital Government and Service NL.

**E. LOVELESS:** Mr. Speaker, I won't even address, I call it, some of the nonsense comments. If it's a serious question, make it a serious question and I'll give you a serious answer, I say to the Member for Ferryland.

**SPEAKER:** Address the Chair, please.

**E. LOVELESS:** Because the sky is always falling with you.

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

**SPEAKER:** Order, please!

**E. LOVELESS:** To the question at hand, Mr. Speaker, I would like to give accolades to the previous minister who did a lot of work on the speed cameras.

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

**E. LOVELESS:** The speed cameras are just one tool in the tool box of keeping people on our highways safe. Absolutely, speeding, what's been going on, reckless driving – I always remind everybody individually, we all have a responsibility. When you get behind the wheel, you have a weapon. You're weaponized, so be safe and take your own responsibility serious.

I got lots of things to show and to tell the people of this province, what we've been doing to keep our roads safe, but I don't have time.

**SPEAKER:** The hon. minister's time is up.

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

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

**J. BROWN:** Thank you, Speaker.

Thursday, the Minister Responsible for Labour responded to my question by saying "... this government is committed to ensuring that labour legislation in this province remains relevant and responsive to the needs of the workers and workplaces ...."

Unions continue to tell us that they were waiting for up to six weeks for their union certification votes to even be counted. The legislation clearly states that it can take no more than five days.

So I ask the minister: Is breaking the labour law her idea of remaining relevant and responsive to the needs?

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** Thank you, Speaker.

What I can share with this House is we recently had a review done and we are proceeding with the recommendations from that review.

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

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

**J. BROWN:** Speaker, that's not good enough. Unions listened to the minister's response last week and are frustrated by the government's continued word of

balance. That is not balanced. This is not how unions feel.

I ask the minister: Why does government continue to put their hand on the scale and tip in favour of employers and leaving out unions?

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** Speaker, the Labour Relations Board is a quasi-judicial board and we cannot interfere with the operations of that. Is that what the Member is asking me to do, Speaker?

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

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

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

Speaker, heckled comments about nurse practitioners, delays in pay equity and transparency, the refusal to implement anti-scab legislation or review the Labour Relations Board all demonstrate a disrespect for the workers by this government.

So I ask the Premier: Why does his government pretend to care about workers?

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** Thank you, Speaker.

Always happy to stand and answer questions related to labour. It's very important to have checks and balances and processes in place. The Labour Relations Board is a quasi-judicial board, and what the Member across the way is asking me to do is interfere in the operational aspect of that board, and it would be inappropriate for me to do so.

We recently did have a review, based on some of the concerns that were coming to us. We had a full review of the board, we are proceeding with the recommendations and the Member will find out about those details in due time.

Thank you.

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

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

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

The problem is the board isn't operating. But let's talk about things this government can do to demonstrate their care.

Speaker, in that case, I ask the Premier: When will his government introduce anti-scab legislation?

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** Thank you, Speaker.

That is a new one for me. Since I've come into this department and we've had some discussion on it, but it's something we're always listening, we're always learning, we're always looking to see what other jurisdictions are doing, but not something that we're prepared to move on right now.

Thank you.

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

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

**J. DINN:** Speaker, a failure to move on it is only hurting workers, the very group of people they claim to be concerned with.

Speaker, I ask the Premier: When will his government reintroduce card check?

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

**A. FUREY:** Could you repeat the question, the last piece, please?

**J. DINN:** I asked the Premier: When will his government reintroduce card check or single-step certification?

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** Speaker, I think this was a question that was asked on Thursday. I think it was the same question that was asked on Thursday and I'll sort of give the same answer. Our government is committed to ensuring that labour legislation in this province remains relevant and responsive to the needs of workers and workplaces throughout Newfoundland and Labrador.

We've certainly had conversations with the Federation of Labour about this. We're aware of their concerns but as I always say, every time I'm up speaking about labour, it is important that we ensure the appropriate balance is maintained between the rights of workers and the needs of employers here in this province.

Thank you.

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

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

**J. DINN:** Speaker, balance from this government's point of view is when they've got their hand tipped squarely on the side of the employer.

When will this government listen to unions and ensure that the problems of the Labour Relations Board are fixed?

**SPEAKER:** The hon. the Minister Responsible for Labour.

**L. DEMPSTER:** I think I've answered that, Speaker, two or three times. I thank the Member again for the same question.

There has been a review of the board done and we are proceeding with some of the recommendations. In terms of labour relations, what I will say is that – and I think I did say this at my first question – government is not contemplating any changes to the labour relations at this time, but we always welcome the opportunity to discuss concerns that are brought to my attention, in particular now as the Labour Minister, with respect to the current legislative regime, Speaker.

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

**SPEAKER:** The time for Oral Questions has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

### **Notices of Motion**

**SPEAKER:** The hon. the Member for Lake Melville.

**P. TRIMPER:** Speaker, WHEREAS the loss of the Ocean Ranger and its entire crew on 15th of February 1982 was a disaster of global implications that affected the soul of our province; and

WHEREAS the *Royal Commission on the Ocean Ranger Marine Disaster* concluded inadequate emergency training, a flawed rig design and poorly enforced safety regulation as crucial elements in the disaster; and

WHEREAS much of the physical evidence used in the Royal Commission, including a wide array of records and materials from the rig, were placed in secure storage at

Ingenium in Ottawa by the federal Department of Justice; and

WHEREAS the loss of the Ocean Ranger and subsequent recommendations from the Royal Commission improved the design and safety features of future facilities, more stringent regulations regarding safety equipment, and training; and

WHEREAS family and friends of the 84 men lost on the Ocean Ranger have expressed the view that the physical evidence should be returned to the province; and

WHEREAS the Ocean Ranger Legacy Foundation has formed to use all of this material as a memorial for education and a means of encouraging continued vigilance regarding offshore safety;

THEREFORE the House of Assembly calls on government to work with the Government of Canada to repatriate artifacts and records from the Ocean Ranger to St. John's for a permanent exhibit.

Thank you.

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

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

**J. HOGAN:** Speaker, in accordance with Standing Order 63(3), the private Member's motion referred to by the Member for Lake Melville will be the private Member's motion to be debated this Wednesday, November 20, 2024.

**SPEAKER:** Further notices of motion?

The hon. the Government House Leader.

**J. HOGAN:** Speaker, I give notice that I will on tomorrow move, in accordance with Standing Order 11(1), that this House not adjourn at 5:30 p.m. on Tuesday, November 19, 2024.

**SPEAKER:** Are there any further notices of motions?

Answers to Questions for which Notice has been Given.

Petitions.

### Petitions

**SPEAKER:** The hon. the Member for Cape St. Francis.

**J. WALL:** Thank you, Speaker.

The background to this petition is as follows:

WHEREAS municipal leaders and individual residents have spoken out to the deplorable road conditions in the District of Cape St. Francis; and

WHEREAS Route 20, specifically from Flatrock to Pouch Cove, is in desperate need of repair and paving; and

WHEREAS this section of Route 20 has high-volume traffic flows every day, the drivers can expect potholes, severe rutting and areas of shoulder washout;

THEREFORE we petition the hon. House of Assembly as follows: We, the undersigned, urge the Government of Newfoundland and Labrador to immediately take steps to repair and repave this important roadway to ensure the safety of the driving public who use this section of the provincial road on a regular basis.

Speaker, I am getting calls and emails on a regular basis with respect to this section of Route 20, specifically from Flatrock to Pouch Cove. I have had people reach out to me on numerous occasions, reaching out again regarding the state of Pouch Cove highway. Again, this one gentleman says, as a daily commuter, the ongoing damage to my vehicle through these rough road conditions is frustrating. I'm hopeful that

comprehensive, durable repairs can be prioritized in the upcoming year.

This is nothing new. Since I've been here, we've gone through three Transportation and Infrastructure ministers. They're all aware of the conditions of the roadway; I've invited them to come to my district. When you're looking at sections of road being described as – by seasoned drivers – the worst I've seen since I've been driving, this is very, very concerning to me. I travel over the same stretch of road and I understand what they're saying. I appreciate what they're saying, because it is absolutely correct.

I will say, the Transportation and Infrastructure staff from White Hills who are responsible for my district do the best job they possibly can with what they have, and I give them credit for that. I have spoken to them while they're doing repairs and I appreciate the work that they do, but the repairs are very short term. This winter is coming, we're going to have freeze and thaw, the plows are going to be back on the road and the potholes will be here once again.

I have people, Speaker, in my district who are travelling through the community of Bauline, not travelling Route 20 from Pouch Cove to Flatrock to get to St. John's because the road is so bad. We have people actually leaving and taking the longer route to go to the community of Bauline, into Torbay, to come into St. John's because the road is so bad. We have people actually leaving and taking the longer route to go to the community of Bauline into Torbay to come into St. John's.

I ask the minister – I know that he's listening – he's more than welcome to come to my district again to have a look at the road conditions, I'd be happy to be with him, and see if we get something done for the people of my district.

Thank you, Speaker.

**SPEAKER:** The hon. the Member for Ferryland.

**L. O'DRISCOLL:** Thank you, Speaker.

The background to this petition is as follows:

The breakwater on the lower coast in Trepassey is in urgent need of repair. This breakwater is necessary to protect the one and only access road to the lower coast.

Therefore, we petition the hon. House of Assembly as follows: We urge the Government of Newfoundland and Labrador to complete the necessary repairs and install a more durable and sustainable breakwater.

Well, Speaker, this weekend we've had another incident, it started last Thursday. To go back to get a little bit of detail, I met with the minister on October 21 on the breakwater in Trepassey that was destroyed in February. There was nothing done so the Town of Trepassey wanted a meeting. We had four or five counsellors there, I was there and he had some members from his office as well and he was in attendance as well.

Over the weekend, three times, the town has had to go up and clean off the roads themselves to get the kelp and the rocks off the road from the lower coast in order to get by. It's a safety issue.

They went up and put in a wall that the people knew wasn't going to last up there. The engineering did it and it fell down. They did a study on it to see what happened. Now they have to spend more money to go up and put it up again.

In October, they told us it's going to take two weeks, we'd go up and put some rock or do some temporary repair. So the town is responsible this week to clean up that mess three times from a contractor in the town. Costly to the town.

They should have had this done long ago. There's no reason it shouldn't be done. I asked them when we had a meeting, maybe the department of highways can use one of their pieces of equipment to go up and clean off the road to get it cleaned so it doesn't cost the town, with the department of highways in the area, but no, they didn't get permission for that.

On the weekend, there was a 90-year-old lady who had to get in a Side By Side with her son to get over from the coast to go out to town to go to an event with one of her friends. It's not acceptable. They should be up and they should have had this done long ago. It happened in February; meeting in October, it's going to be two weeks. We're still up there and it's still not done.

So when are we going to get it done? When is the place going to get done up there, Minister? We've been too long up there and it should be done.

You get up here and wonder why we get so ticked off in stuff that's happening in your district. This is going on since February. Then there were two hurricanes before that, it was done. It's time to get the solution and time to fix the problem once and for all, Minister.

Thank you.

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

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

**H. CONWAY OTTENHEIMER:** The background to this petition is as follows:

WHEREAS in the District of Harbour Main there are many residents who are concerned with the deteriorating cellphone service that they have been experiencing in recent months. There has been a significant decline in cellphone service throughout the district where calls are being dropped and

residents are unable to get their calls got through for no apparent reason.

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 work and partner with the very cellular providers and telecommunication officials to stabilize and improve the cellphone service within the region so that citizens have a reliable service that they can depend on.

Speaker, this is the fifth time that I've raised this petition in the hon. House of Assembly. My colleagues in the Progressive Conservative Opposition have also raised it many times before. In fact, the MHA for Ferryland just raised it 11 days ago.

We all know how bad cellphone service is. We've heard it from everyone. We've heard it from our constituents. I hear it everywhere in my district. We're hearing it from, not only constituents, but even my constituents have resorted to online petitions in the areas of Conception Harbour, Avondale and Makinsons. We've heard it from towns like Clarke's Beach, Holyrood, Conception Bay South, letters to government for action, for solutions. There are dropped calls, terrible reception or no reception at all.

We've also heard it from the Auditor General of Canada report which was in the House of Commons back in March of just last year. The Auditor General said that Newfoundland and Labrador is the worst in Canada for cellphone service – the worst rural, cellular connectivity in the country.

This is unacceptable, Speaker. This is unacceptable. Without access to fast, reliable and affordable mobile cellular services, we do not have the same opportunities in rural Newfoundland as people residing in other areas.

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

**H. CONWAY OTTENHEIMER:** We cannot stand for this any further.

Now, the Minister of Industry, Energy and Technology – when I raised this last time in the House – he encouraged me to reach out to Bell, which I have done. I've spoken to them, as well. He has acknowledged, as well, that it is – in his words last week in response to the Member for Ferryland – degrading. The service is degrading. He's also said and acknowledged that it's not good enough. Companies are not doing good enough. It's not acceptable. He said we have to find the ways to make them live up to it.

So what are those ways? We need to know. Yes, we understand, and we get the minister's point, it's federally regulated so it is not the entire province's problem, but the province has a responsibility. The province has an important responsibility to protect consumers from big corporations like those who are benefitting financially from all of the people who they are not providing service to that they are charging for.

Thank you.

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

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

**J. BROWN:** Thank you, Speaker.

Speaker, the reasons for this petition:

Anti-temporary replacement worker laws have existed in Quebec since 1978, in British Columbia since 1993 and the federal government has committed to introducing such legislation by the end of 2023, which they already have.

The use of temporary-replacement workers during a strike or lockout is damaging to the social fabric of our community, the local economy and the well-being of residents.

Anti-temporary replacement worker legislation has shown to reduce the length and divisiveness of labour disputes.

Since 2015, the right to strike has been clearly protected under the *Canadian Charter of Rights and Freedoms* because it helps to stabilize the power and balance between workers and the employer, and the use of temporary replacement workers undermines that right.

Therefore we, the undersigned, call upon the House of Assembly to urge the government to enact legislation banning the use of temporary replacement workers during a strike or lockout.

I've brought this petition to the House many times and I'll continue to bring copies of this petition to the House until this is enacted. We've seen it at the federal level. They saw the need that this has to be done and we're asking that it be done on a provincial level as well. We've seen stuff with the Vale strike years ago, D-J Composites. There are numbers even further back. The use of temporary replacement workers during a strike or a lockout has been causing very divisive and long-standing labour disputes that were very unnecessary.

We've seen this, we've seen it on the federal level. We've seen other provinces see the need that this has to be an act and we're calling on this province to bring forward legislation to ban anti-temporary replacement workers or anti-scab legislation into this House of Assembly to be debated.

Thank you, Speaker.

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

**C. PARDY:** Thank you, Speaker.

The spring repairing of destructive potholes in the roads within the District of Bonavista have taken months to complete. Thousands of residents and tourists travel these roads

frequently and many have had their cars damaged. Not great for the residents in the district, nor the school buses carrying their children, nor our economic development with bad roads serving as a deterrent to tourists.

The late Jim Brown of J-1 Contracting stated that he could repair every pothole in the District of Bonavista within two weeks.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to establish a goal of having every pothole within the District of Bonavista filled with hot asphalt within a six-week period and prior to the end of the June.

I met with the minister and his staff and in that I had asked: Is that a reasonable request? I repeated it a second time and I was told by a member of the department: No, that's not an unreasonable request. Here we are now into November and we've got roads in the District of Bonavista with, again, potholes that are destructive in nature.

I just wanted to give a couple of situations on how bad our roads are. In Princeton, we had Neil and Samantha and their two young children, which I don't recommend, but they were out repairing potholes in the roads. It was the idea of their five-year-old daughter, Irelyn, to do it – and note: I don't recommend that.

I said the same thing to Glenn Ploughman in George's Brook-Milton, who, one day, was seen with a wheelbarrow going to fill up potholes in George's Brook-Milton. We don't suggest that.

We would ask that six weeks is not an unreasonable period of time to make sure that when the tourism season started, we have no destructive potholes in the District of Bonavista. And like the minister's department official had said, that's not unreasonable.

What problems we have is that we've got wonderful tourist attractions in the district – and I just throw one of those, from the UNESCO discovery geopark; in Tickle Cove, the Sea Arch, wonderfully attractive piece, but you travel the road to get to Tickle Cove and you'll realize that if word of mouth happens after that, it's going to be a problem.

Mr. Mike Connors ought not to have to travel over that road. I would say six weeks is not unreasonable. I would ask the government to make sure it's done.

Thank you.

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

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

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

**L. EVANS:** Thank you, Speaker.

This petition is for improved inclusion for Northern Labrador communities to participate in the Newfoundland and Labrador incentive/rebate programs.

We, the undersigned, are concerned citizens of Newfoundland and Labrador who urge our leaders to ensure that residents in Northern Labrador communities be given due consideration when the provincial government develops, or develops in the collaboration with others, incentive programs such as the Oil to Electric Incentive Program and the residential construction rebate program. Those are just two examples.

Northern Labrador residents are excluded from qualifying for the provincial and federal government oil to electric incentives because all Northern Labrador communities are supplied with electricity from diesel generating power stations. That's what they've told us.

Northern Labrador residents were cost excluded from applying for the 2020 Residential Construction Rebate because all the work had to be done by an eligible contractor. There were no eligible contractors based in Northern Labrador and the travel cost for the contractors and their materials negated any value of the rebate.

We believe programs should be inclusive.

Now, Speaker, I've presented this quite a few times, but it's about being inclusive when you talk about Newfoundland and Labrador rebates, Newfoundland and Labrador inclusion programs. Say, for example, converting from oil to electric, the minister talked a lot in the House of Assembly about, first it was the provincial government, the incentives were \$17,000, and then it went up to, with some help from the federal government, I think \$22,000 or \$23,000 – it's in my notes. But all that money to help with the more cost-effective electricity programs to heat your house were basically excluded in my district.

I know, during Estimates, the minister talked about a \$500 rebate to our seniors in Northern Labrador, and also in Southern Labrador, to help offset the cost of oil. But, Speaker, in the winter months, \$500 will buy you maybe two weeks of oil to heat your house – two weeks.

So we look at the winter months, from November to May, that's seven months. It's not even going to help them with one month of heating their house; it's just half a month. So what are they going to do for the other 6½ months? Seniors are on fixed income. But what about the low-income families who don't even qualify for this?

Then we look at the rebates. I've got to say the home heating rebate is really, really good. That's \$500, and you only got to actually buy 250 litres. But, at the end of the day, that \$500 is only for probably two weeks again, Speaker. We need to be included in all the programs.

Thank you.

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

**SPEAKER:** Orders of the Day.

### Orders of the Day

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

**L. DEMPSTER:** Thank you, Speaker.

I call from the Order Paper, Order 7, second reading of Bill 33, An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy.

Speaker, I also want to read for the record in relation to Bill 33: I wish to notify the House of the requirement for a small change in the short title of Bill 33. Due to the time passed since first reading of this bill, the short title has been updated to now read *Hydro Corporation Act, 2024*, instead of *Hydro Corporation Act, 2023*.

**SPEAKER:** Thank you.

The hon. the Minister of Industry, Energy and Technology.

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

I move, seconded by the Minister of IPGS – because I can't remember the full name – second reading on the Nalcor amalgamation act, Bill 33.

**SPEAKER:** It has been moved and seconded that Bill 33 be now read a second time.

Motion, second reading of a bill, "An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy." (Bill 33)

**SPEAKER:** The hon. the Minister of Industry, Energy and Technology.

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

I'm pleased today to stand up and be able to debate this act, which its long title is An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy. The purpose of this legislation today is to complete the legal merger of Nalcor Energy into Newfoundland and Labrador Hydro.

Now, this bill has been on the Order Paper for some time. While it has been a while since we've been able to speak about this, the reality is that the operationalizing of this has been ongoing for the last couple of years. We are now at the juncture where the legal effect can take place, and hopefully, as this bill moves through into Committee and third reading and proclamation, it will give effect to something that we have been doing, and certainly Hydro has been doing, for a couple of years. That is the dismantling, essentially, of Nalcor and the bringing it inside of Newfoundland and Labrador Hydro.

In June 2021, we actually announced the merger of Nalcor into the single corporation of Newfoundland and Labrador Hydro. It's something we talked about for some time, but sometimes it takes longer than one would anticipate to do this. Although I think we said clearly then that this would take some time, and there's been a lot of work ongoing.

So since that time when we made that announcement, Hydro has moved Nalcor operations under the Hydro banner. They've eliminated duplication in areas such as finance, IT, HR, in the executive branch. Many of the changes are already in place; they're already in effect. They were not requiring the passage of this legislation to happen.

In fact, they've happened and been in the works and been going on seamlessly in many cases for many months and, in fact, years. What we're doing here is the

amalgamation of the associated legal formalities. So both Nalcor and Hydro – and just for people who might be watching, when I say Hydro, I'm talking about Newfoundland and Labrador Hydro, NLH. Depending on where I am, I could use a number of different terms, but that's the entity that I'm talking about.

So they're both current statutory corporations; they were both created in 2007. Nalcor was under the *Energy Corporation Act*, the ECA and Hydro was continued under the *Hydro Corporation Act, 2007*, the HCA. This amalgamation will see both of these acts repealed, and they will be replaced by a single act, the *Hydro Corporation Act, 2024*.

Under this act, all of Nalcor's and Hydro's assets, liabilities, obligations, agreements, they all continue under this new piece of legislation. Most provisions of the previous acts are combined, and they are retained in this new piece of legislation.

Generally, if I were to sum up using bullet points what we're dealing with here: it gives effect to this amalgamation, legally speaking; it confirms the property of each corporation continues to be the property of Hydro and that Hydro will continue to be liable for the rights and obligations of both entities; provides for the continuation of employment of Nalcor's and Hydro's bargaining and non-bargaining employees with Hydro; it confirms no action or proceeding will be commenced or can be commenced against the provincial government, Nalcor, Hydro, Hydro's officers, directors, employees, resulting from the amalgamation of this legislation – again, a common aspect here; finally, it confirms a continuation of any security or guarantee provided by the provincial government to Nalcor with Hydro.

There are many pieces under this pretty sizable piece of legislation that are your standard forms you see in many. There are some that are significant, I think, or

noteworthy. Section 30, which is a new provision under this act, ensures that there is explicit legislative authority for the Minister of Industry, Energy and Technology to request documents and/or information from the corporation. This is consistent with the recommendations in the report from the Muskrat Falls inquiry commissioner, the hon. Richard D. LeBlanc, and from the statutory review of ATIPPA 2015 that was conducted by former Chief Justice David Orsborn.

Under section 31, protections under the ECA for commercially sensitive information carry over to the new act, but they are narrowed to information relating to oil and gas activities only, which, again, aligns with the recommendation from Justice Orsborn's ATIPPA review.

I think those are very important and I'm sure they'll be brought up during the debate and we can speak more about it. But we're glad to see that we've followed the recommendations that were laid out here and that was one of the big ones that have been a talking point for many years. We've made sure to cover it off here, which is important.

This amalgamation returns Hydro to its core function as an electricity utility. That is what it was created for. Now, it will still also hold oil and gas assets that were currently being held by Nalcor.

Section 14 addresses the role of Hydro in R & D to ensure Hydro focuses on utility operations. So it clarifies that the objects of the corporation will no longer include R & D but will continue to include oil and gas activities, but only with LGIC approval that it can be revoked if a decision is undertaken to sell the assets, which is another conversation.

There are no existing R & D activities identified and 14(2)(b) would allow the LGIC to approve the objects as required.

In section 36, the *Public Procurement Act* exemption under the ECA continues for strategic partnerships or equity investments, such as oil and gas partnerships, sale of energy and energy products and benefits agreements. However, government retains shareholder authority to direct Hydro to adhere to the PPA or other matters, and hydro related activities under the *Public Utilities Act* so they're not subject to this exemption.

Upon third reading and passing in the House, we anticipate that proclamation would occur by year-end. This provides Hydro time to give notice to relevant parties, including the federal government, as well as other important administrative requirements to coincide with the fiscal year of the corporation.

I'm about to conclude, but I think it's important to note that, again, we're here dealing with the legal aspect. A lot of this work has already taken place. This is the final piece to allow for the completion of this task which we've been talking about.

So I'll sit down at this point and listen to the comments from my colleagues on both sides and, hopefully, we can continue moving forward with this bill.

Thank you.

**SPEAKER:** The hon. the Member for Terra Nova.

**L. PARROTT:** Thank you, Speaker.

I thank the minister for this legislation. We don't see any huge issues about it. We're going to have some questions when we go to Committee, but it's a decent bill and it's going to accommodate some action that needs to happen.

The bill is going to remove the previously existing Hydro Corporation Act and *Energy Corporation Act* and replace it with the new Hydro Corporation Act. This is done to

facilitate, as the minister said, the legal merger of the two corporations into Newfoundland Hydro. As the two previous corporations were legislative corporations, this merger does not follow traditional corporate law, but it must be carried out through legislation here in the House.

The previous Hydro Corporation Act was used as the framework for this new legislation, with the new necessary language brought from the *Energy Corporation Act*. There are several policy changes which the minister has highlighted. It starts off with commercially sensitive information. The definition of commercially sensitive information is being changed to narrow the exemption as it relates to the ATIPPA process. Previously, Nalcor had a broader definition of commercially sensitive information; thus, a broader definition for ATIPPA, including exemption.

Commercially sensitive information will now only apply to activities and information related to oil and gas. This is being done in line with the recommendations that came from the ATIPPA statutory review.

Objectives of the corporation: There's language included in this which specifies the objectives of the corporation are to be in accordance with the priorities of the government of the province. By this language being added, it makes it clear that the corporation is to follow the lead of government.

It also gives the minister some broader capabilities. The minister will be able to request information from the corporation, which the corporation will have to provide the minister. This is a new policy change which is being added as a result of recommendations for both the Muskrat Falls inquiry and the statutory ATIPPA review.

Speaker, this bill is going to amalgamate two companies and bring them in under the government fold and give the minister some much needed oversight capabilities, and the

province will have greater access through the ATIPPA process.

We'll have some questions when we go to Committee, but that's it for us.

It's a good piece of legislation.

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

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

**J. BROWN:** Thank you, Speaker.

Yes, this was a long-awaited piece of legislation. I guess, the final piece in bringing NL Hydro and Nalcor Energy into one entity. We do see some of the changes made, allowing for ATIPPA and what is defined as commercially sensitive information, when it comes to that.

We know that there is some suggestions taken from the Muskrat Falls inquiry. There are a couple of things that were not changed that was recommended from the Muskrat Falls inquiry and I'll have those for questions in Committee for the minister on why those changes were not made. Other than that, we'll have those for him in Committee.

Thank you.

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

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

I'll be supporting this bill. As I said, when we talked about this before, I think it was one thing that we did positive for the people of Newfoundland and Labrador the last few years was to disband Nalcor and a lot of the history that went with it.

As I said, I will support the bill and, as others have said, there are some questions, I guess, we would have during Committee of the Whole.

As the minister said, this is the final piece because from an operational point of view, Newfoundland and Labrador Hydro have been operating on its own now outside of Nalcor, if you will, for, I think it's a couple of years.

I do know that one of the concerns that we had, and it came up through the Muskrat Falls inquiry, was the whole concept of Nalcor basically doing what it like, doing whatever it wanted to do with no real controls over them. Similar to what we've seen at Memorial University, quite frankly, and thankfully the Auditor General is able to go in there. We know she went in there and some of the shocking things that were discovered there, but no doubt, Nalcor, when it was under the *Energy Corporation Act*, it had basically free rein to do whatever they want. That's why we saw a situation, for example, with DarkNL.

I know I'm after bringing this up so many times, but I can't resist; I've got to bring it up again. DarkNL – they couldn't keep the lights on, which was their primary mandate of the NL Hydro portion of Nalcor, if you will. They couldn't keep the lights on. We found out through, I believe it's a Liberty report it's called, that the reason was that basic maintenance wasn't being done at Holyrood and so on, yet everybody got their big corporate bonus at the end of the year because they had a good safety record. That was the rationale that was given by the then CEO of Nalcor: We had a good safety record. You couldn't keep the lights on, but we had a good safety record. So full executive bonuses.

This is the kind of stuff that was going on. It was out of control and it had to be stopped. I will give credit to the minister, to this administration, in the sense that I think we've turned the page. A lot of changes have occurred. Unfortunately, it came as a result of a lot of the things that came out in the Muskrat Falls inquiry.

Quite frankly, there was a lot of people that should have been held accountable but they weren't, unfortunately. But they have moved on. It seems like Ms. Williams – I believe that's her name – has got a good handle on things now. I will say she's doing a good job until she proves me wrong, I guess. Hopefully, she won't.

But I do know that the Auditor General was in to NL Hydro not that long ago and there were a few things that the Auditor General pointed out in terms of the lavish spending, salaries, bonuses and everything else. I will say that the minister, I believe, if I'm not mistaken – I can recall coming to the House of Assembly, getting rid of the bonuses, which is a positive thing, I would say.

One of the things that came up in the Auditor General's report was the salaries and so on and how they're totally out of sync with the public service. I never heard anything after, other than Ms. Williams's response to that, that there were a number of things they were going to fix, that they did agree with the Auditor General on; but one of the things they didn't agree with the Auditor General on was the salaries and so on being totally out of sync with the public service and that she had every intention, was what I got from it, that nothing was going to change. We're going to continue on with these huge salaries, regardless of what the Auditor General had to say.

So to the best of my knowledge, that's what she said. I don't recall the government coming forward after the fact and saying, well, I'm sorry, Ms. Williams, that you feel that way but we're with the Auditor General and we're going to try to rein this in. I never heard that. Maybe it happened behind the scenes, but I'm kind of curious as to where we stand when it comes to compensation and so on. And if we are paying reasonable salaries now or if we will be, as new people move in, will they be in line with other government entities or will they continue to be very, very lucrative.

I do understand there's an issue around trying to retain talent and so on. I'm not foolish enough to not be aware of that, but I just wonder where we stand with that around the wages. Of course, I also look forward to the Auditor General, I believe, is also – if she's not there, she's going into, I believe, OilCo because I have a feeling that –

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

**P. LANE:** She was into OilCo too, wasn't she? Yes, that's right, she was. There are that many reports floating around, I thank the minister, but there was the same kind of issues there. Anyway, I'd like for us to get a handle on that.

Section 30 that the minister references in terms of requests for info and so on, the minister can request information from NL Hydro. That must be provided to him. That's a good thing because I think back to kind of in the heights of around the Muskrat Falls inquiry and it was around that time I can remember former Premier Dwight Ball coming out publicly and saying how he was going to get the information on all the embedded contractors. We can remember the embedded contractors and some of the crazy amounts of money that we saw there. That was another thing that, from my perspective on the outside looking in, seemed like that was totally out of control. There was information out there suggesting that they were just putting in their own hours. There was nobody checking in the hours. I think there was one person I recall seeing in the media or some story where they said one particular individual who was an embedded contractor, that he would have had to have worked something like 18 hours a day, 365 days a year, to actually accumulate the hours that was billed for. There was all this craziness going on.

I can remember the premier of the day, Premier Ball, saying he was going to get the information because, of course, there was a lot of public outrage. Then I recall the

premier going to Mr. Martin and Mr. Martin basically saying to the premier, no, we're not releasing any of the information on the embedded contractors because we are exempted from ATIPPA. So he wasn't even going to provide it to the premier of the province, let alone the general public because they had that exemption under ATIPPA.

That is a problem. I felt then and I still feel the same now – I understand commercial sensitivity; I totally get that – but I cannot see why we do not have it, why it still can't fall to the Information and Privacy Commissioner that if there are reasonable requests for information around spending, because it's still taxpayers' money, that it cannot be adjudicated by the Information and Privacy Commissioner.

Because under the circumstance which existed, no matter what it was – even if the information was reasonable, if it wasn't what you could call truly, truly commercially sensitive, if it wasn't going to cause any harm that Nalcor, at the time, could simply deny any requests. Under that legislation, there wasn't even a requirement to give a reason.

Under ATIPP if you're not going to release it, at least the corporation or the government department has to say we are not providing you this information because, and they have to give a reason for denial. Then of course it can be appealed through the Information and Privacy Commissioner. If the corporation doesn't like what the Information and Privacy Commissioner, they can take it to court. So there are a lot of steps and protections along the way for everybody. But under Nalcor at the time, they could just simply flat out say no. Didn't matter what it was, no. Why? Don't have to tell you; I'm just not giving it to you.

Of course, we had an opportunity, I thought, when we had brought in new legislation around the creation of – there was another bill that was similar to this one and we had

the creation of OilCo. At the time when we had the creation of OilCo, I had said in debate to the minister of the day, now Minister of Finance, why is it that we're keeping this same clause for OilCo? Why don't we change this now for OilCo, now that we're here? But it didn't happen. They didn't change it.

I see this as a step in the right direction, in that at least the minister gets some information, but I still would like to see some sort of a process where reasonable requests can be made from the public, from the media, from the Opposition, from whoever and there's a process where they can't just outright, flat out, say, no, you're not getting anything because we don't have to tell you anything. There should be a process there and I think it should be adjudicated by the Privacy Commissioner. That's why we have a Privacy Commissioner. If the Privacy Commissioner gets it wrong, that's why we have the courts and that's how ATIPPA works.

So while I see this as an improvement, I would like to see it go a little further, I guess.

Beyond that, I do support the legislation and, like I say, I'll ask those questions when we get to Committee, unless someone else asks them first or the minister comments now in his response, and that's fine.

I'm certainly not against what is trying to be done here and, I think, we do need to move forward. We need to get rid of that name Nalcor because, I think, just even the optics of it, people have long ago lost faith in Nalcor. That brand is something that an awful lot of people in this province just didn't have any faith in any longer.

Making it NL Hydro, OilCo, again, I supported it at the time, I still support that concept, but there are those couple of issues that I would like to see. I would have liked to have seen it gone, perhaps, a little further so that there was more opportunity

for openness and transparency to the general public, as opposed to simply just to the minister. Not suggesting that this minister wouldn't share stuff with the public or anything like that. That's not the point, but the point is that to try to make it as open and transparent as we can.

If we're going to move forward, call it a new name, have a Hydro and an OilCo versus a Nalcor, that's all good, but we need to do more than just change the name, we also need to try to restore faith in those processes. Like I say, having that ability for the general public to be able to have more access to information, maybe a little bit more proactive disclosure would be a good idea, too. Bearing in mind, commercial sensitivity, legitimately, when they're dealing with oil companies and stuff like that, I get that, but to strike a better balance where there is more disclosure to the public, wherever possible.

Thank you.

**SPEAKER:** Seeing no other speakers, if the Minister of Industry, Energy and Technology speaks now he will close debate.

The hon. the Minister of Industry, Energy and Technology.

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

I appreciate the comments from my colleagues on the other side and look forward to the Committee stage of this where a lot of the questions will come out and, certainly, I'll try my best to answer. Thankfully, with modern technology and we've got a good cell connection here, I'm able to – a lot of this is super technical. So I will do my best to ensure that we get answers to the questions. Although, I will point out, there was a substantive briefing on this. Some of the points that have been brought up are not quite accurate. I am going to address that now because I know that it's the Member for Mount Pearl - Southland's big issue and he hasn't

changed his tone on this. He's been very consistent for a long time, but we actually have made a substantive change here.

The process you described has actually changed from what it was so that commercial information is subject to ATIPPA, except for the oil and gas. Now, if people ask why oil and gas information is still kept the same way, it's because we're not the full partners in that. We have other parties that are in these oil and gas deals with us. We have access to their information and disclosing that would not only subject us to multi-billion-dollar litigation; the fact is there are rules around it. That's been the same; that's not changing. I don't think anybody's ever suggested that was an issue, but when it comes to, right now, the new commercial information, that, actually, is subject under ATIPPA.

I'm sure every corporation out there would rather give up as little information as possible, but we felt quite strongly, especially when you had the commissioners, David Orsborn and Richard LeBlanc, looking at this. That's why we didn't allow for hydroelectric information, we'll say, commercial sensitivities to be applied here. We all want to make sure that's so. We've all been through that. We don't want to go down that road again.

Now, I am going to give two shout-outs, now, at the stage, prior to the Committee stage. Number one, I get to stand up and talk about this, but a lot of this work was done prior to my getting there. I give credit to the current Minister of Finance. Certainly, she was there, a lot of this was on her watch. I just get to continue that work. Part of that, too, obviously, is the Department of IET, the Department of Finance, Department of JPS, there are a lot of different parts to this. This is extremely complex stuff. I don't pretend that I was ever a good corporate lawyer that could look at all this and make sure I covered it off. That's why we have so many different hands on this, making it what it was.

I think, if anything, though, we did supply, certainly, a political lens and the issue the Member brought up was that we have a public that's not going to tolerate the situation that we went through.

Now one point the Member brought up – again, I'm saying this all now, I'm happy to sit and when we go through the Committee stage – one of the things he talked about was the salaries. So I just want to point out a couple of things, and that goes into the second shout-out. I've been a part of a lot of decisions in this role and I think one of the better ones was the hiring of Jennifer Williams to become the new leader of Hydro.

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

**A. PARSONS:** Without saying anything about anyone else prior or whatever, all I'll say is this, Ms. Williams is a dedicated public servant. She is a great person to have there. To the point where my biggest issue with her is that there are sometimes when I ask her an issue and I'm like, Jennifer, you have to stop, you're way above my head in terms of my comprehension levels. She loves the field of energy; she loves hydroelectricity. She is good. To the point, too, where I have had constituents or people on the other side reach out, and she is open to talking to them. She recognizes the role of Newfoundland and Labrador Hydro to Newfoundlanders and Labradorians, so I commend her and her team as well.

So a couple of points brought up here. There has been a reduction of executive positions by 50 per cent. That is a big number. It went immediately from 18 to 11 and post-announcement two more are gone. The CEO is actually taking a significant pay cut. I'm going to get into executive pay now. It is not a politically popular topic, but it is one that we should have. There was also a 35 per cent reduction in total executive compensation.

Again, all steps undertaken under the leadership of Ms. Williams and her team. I would like to think that, through various steps, we stepped in and said what our goals were, as a government, to see change here. Vehicle allowances and performance bonuses, gone; executive and senior vice-president roles, gone. There has been redundancy elimination; travel cost reductions; other miscellaneous spending.

They no longer rely on embedded contractors. A point brought up by the Member, certainly ticked us all off when we saw there was a lack of accountability, not an issue now. Subject to review by the AG, which is what we want to see and, in fact, appeared before the Public Accounts Committee. They've done some great things, to the point where they're now getting national recognition from groups like Electricity Canada for their sustainability measures, for their leadership, for their achievement and they are doing great things.

One of the big things is that they've had increased reliability for customers with the lowest interruption duration in 10 years. I can remember, I was sitting here when we had DarkNL and that was hard on everybody. Certainly, it was hard on the members of Newfoundland and Labrador Hydro, too. A lot of these front-line people, they bear the brunt sometimes of things that are not part of any decision that they ever made.

I think over the last number of years, through the leadership of Ms. Williams and I think through their own actions, we've done a lot to increase morale within Newfoundland and Labrador Hydro. They've done a lot to increase morale there and that's important, and that speaks to the pay.

This might be just an issue of a difference of opinions, but I don't think utilities necessarily match up explicitly with the public service. It is hard to weigh one against the other because the reality is that

Newfoundland and Labrador Hydro's competition is not poor public service. It's Newfoundland Power and its other utilities.

So when you're trying to keep your staff, when they can do the exact same job with the other utility in the province paying them significantly more, that becomes an issue. It's an issue within government. I don't mind saying it. I mean, I have difficulty sometimes keeping skilled employees because the feds can come in and pay more, private industry can come in and pay more and that's a big issue everywhere.

I mean, just within this House, there's compensation arguments. Look, you'll never win an argument with the public saying that a politician or a public servant or somebody like that should be paid more. But I will say, I have a disagreement here, and I agree with the position of Ms. Williams, that it is hard to compare apples to apples here when we talk about some of these people.

Now, on the top level, there's been a reduction, but again, there's a difference there when you're comparing them to a different entity than core public service. We could have that debate all day; that's not the purpose of this. The purpose of this is that we're finally giving effect to something we've talked about.

I agree completely, the ending of the Nalcor brand, it started off great and wonderful. Again, the purpose is not to get into what happened and how it went, but I'd like to think that we're on the right track to taking care of that issue, which was something that was felt and we all have, and it certainly didn't create a positive memory in anybody's brain when we heard that name.

But Newfoundland and Labrador Hydro, I think, is a very positive name. The are men and women throughout this province who are doing great work. Now we can give effect to the legal formalities to bring this together. The work has been ongoing and, in fact, over the last two years, we weren't

waiting on this bill. Over the last two, three, four years, this work has already been undertaken quietly, efficiently, getting it done and that's what Newfoundland and Labrador Hydro's doing.

So on that note, I'll sit down. I know there are going to be a lot of questions, but I appreciate the opportunity to speak to this and I appreciate comments from my colleagues.

Thank you.

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

The motion is that Bill 33 will be now read a second time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

**CLERK (Hawley George):** A bill, An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy. (Bill 33)

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

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

**L. DEMPSTER:** Now.

**SPEAKER:** Now.

On motion, a bill, "An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy," read a second time,

ordered referred to a Committee of the Whole House presently, by leave. (Bill 33)

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

**L. DEMPSTER:** Thank you, Speaker.

I move the House do now resolve itself into Committee of the Whole to consider Bill 33.

**SPEAKER:** And a seconder, please.

**L. DEMPSTER:** Seconded by the Minister for Industry, Energy and Technology.

**SPEAKER:** It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider Bill 33.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

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

### **Committee of the Whole**

**CHAIR (Trimper):** Order, please!

We are now considering Bill 33, An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy.

A bill, "An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy" (Bill 33)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The hon. the Member for Terra Nova.

**L. PARROTT:** Thank you, Chair.

Minister, under clause 2, the definition of commercially sensitive information has been changed to narrow the exemption as it relates to ATIPPA. Previously, Nalcor had a broader definition of commercially sensitive information and, thus, a broader exemption from the ATIPPA process.

Now only commercially sensitive information as it relates to oil and gas will be able to be withheld under the ATIPPA rules. My question is regarding the information that Hydro receives from NL Power, which NL Power may consider commercially sensitive. How will that be dealt with?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I think my answer to this question is it depends on what the information is and what is requested. They still have the ability to deny the release of information under ATIPPA. If the party that is applying for it does not like it, they are able to bring that to the Commissioner to have a decision made on that. I think it will depend on what's the information that's requested.

My take on it is if it's sensitive information with NL Power, then they would have an ability under ATIPPA to redact that and not disclose it. In a bigger sense, the goal here was not to increase the exemption when we talk about hydroelectric and to keep it what it was for the reasons I laid out.

**CHAIR:** The hon. the Member for Terra Nova.

**L. PARROTT:** How would information that Hydro receives from large industrial companies about their load forecast be treated under ATIPPA?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** So this would all be handled under the normal process for anybody applying for information to any entities. Whether that's Newfoundland and Labrador Hydro, whether it's the Department of IET or any departments, it's the same rules. They make an application for the information; the entity has the ability to review that request, to determine whether they think it's sensitive or should not be released for various reasons under the different exemptions; and they can make that decision.

My take on it is that Newfoundland and Labrador Hydro – which, believe me, gets an inordinate number of requests – that they will continue to protect commercially sensitive information from any of the groups they deal with, including other industrial entities. If the person who's applying wants to contest that, they have the process which they could follow and let the Commissioner sort it out.

**CHAIR:** The hon. the Member for Terra Nova.

**L. PARROTT:** Clause 7 continues with collective agreements. Does the minister have any information about which unions previously represented workers at Hydro and Nalcor, and are there any instances where unionized employees now work side by side in the same positions with other employees who are members of a different union or non-unionized?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** So the big thing about this legislation is that there will be no contractual obligations that change – basically, by switching it over from, say, Nalcor to Hydro, it would stay the same. They still have the same rights and obligations there.

I have not been made aware as to any issues, as you mentioned, but I will say that Newfoundland and Labrador Hydro, Nalcor and a number of other entities have all had a glimpse at this legislation over the last two years. I haven't been presented with anything that presents an issue. So that's the basis on which I operate.

**CHAIR:** The hon. the Member for Terra Nova.

**L. PARROTT:** Clause 11 contains language that specifies the corporation is an agent of the Crown but later, in clause 12, it says that regarding Muskrat Falls the corporation is not acting as an agent of the Crown. Can the minister, please, provide some context to that explanation?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** So on that one, I am going to await a specific answer on that. It wasn't a question that was asked in the briefing and it's not something that's been brought to me. I'm sure there's a legal reasoning for that. I'm going to wait to get an answer before I just toss out a guess at you. I'm sure there's some kind of formalized reason as it might relate to contractual arrangements or something like that.

**CHAIR:** The hon. the Member for Terra Nova.

**L. PARROTT:** Under clause 14, given the language here which links the objectives of the corporation to the provincial government and the specific reference to Cabinet having to approve the sale of electricity and the rates outside of the province, will Cabinet have to approve Newfoundland Hydro's rate applications to the PUB before Hydro files them with the PUB?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I'm just going to go back to the previous question there. So that's, actually, not a change from pre-existing legislation. It was there previously. It's necessary to protect government from liabilities for the project so that they do not automatically roll up into government, which is the reason for the language.

The answer to this question is no.

**CHAIR:** The hon. the Member for Terra Nova.

**L. PARROTT:** Clause 24, this section of legislation outlines the broad lines of business for Newfoundland Hydro. It includes reference to electricity, oil and gas, assets of Hydro, power purchase agreements, et cetera.

Because of the wide nature of the language here, MHAs may wish to ask about things such as Bull Arm, seismic, future load forecasts for electricity; Newfoundland Hydro's possible usage of wind generation; the need to create generation and, thus, invest in Bay d'Espoir and new thermal generation, et cetera.

Are these questions going to be allowed and answered, I guess, is the question?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I would say that the questions will always be allowed. Anybody can ask any question they want. The answers will all depend on different factors that can arise, for instance, Bull Arm. We're in a process right now for which we're not going to talk about it because we don't want to do anything that harms the process, but the big thing to keep in mind is that the asset is owned by the people of the province. So at some point, the people should get an answer to that, but it depends on timing sometimes.

But to me, questions can always be asked and the goal is, if anything, maybe this is not just an answer for this legislation, it's an answer for government in general. Answer whatever you can, up to the point where it causes an issue legally, financially or otherwise that stops you from having to give that information out.

**CHAIR:** The hon. the Member for Terra Nova.

**L. PARROTT:** Under clause 30, the minister will be able to request information from the corporation which the corporation will have to provide to the minister.

Can the current minister outline if he has formally requested any information to date?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** Off the top of my head that's not something I would have here. I know there's always correspondence going back and forth between us and Hydro. There's nothing top of mind that's standing out right now.

Again, any time there's an issue – like a couple of weeks ago there was a winter readiness briefing. I constantly have conversations with either Ms. Williams or different members of the team and people within. So off the top, I can't think of anything we've specifically requested, but I cannot say I have ever had a single incident where I felt that I didn't get the information that I wanted or somebody in the department or whoever wanted.

**CHAIR:** The hon. the Member for Terra Nova.

**L. PARROTT:** In the interest of openness and transparency will the minister commit to tabling any formal information requests he makes under this section and the responses that he receives from Hydro?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I have no issue tabling anything. Again, with the same caveat that I've always given, as long as it's not going to be detrimental or harmful and defeat the whole purpose of doing it. Keeping in mind, that I firmly believe that information that the public wants should be disclosed and put out there. So in theory, absolutely, not an issue, but in practice, there can always be one of those situations where you want to table it but it's really harmful to the people of the province by doing so. That's probably the best answer I can give you.

**CHAIR:** The hon. the Member for Terra Nova.

**L. PARROTT:** Under clause 72, I heard the minister earlier say hopefully by the end of 2024. Do you have a more specific time frame for when the legislation is going to take effect?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I think it's supposed to be by year-end 2024, so as long as it's done by New Year's Eve to sort of coincide with the fiscal year, that is the game plan.

**CHAIR:** Any further?

The hon. the Member for Labrador West.

**J. BROWN:** Thank you, Chair.

The bill alters reporting requirements for the amalgamated NL Hydro. NL Hydro must submit an annual report to the House of Assembly under the Hydro Corporation Act and also submit a report under the *Transparency and Accountability Act*. The reports were going to be about 90 per cent the same. But this current bill modifies the requirement that it's only going to be one merged report to the House of Assembly.

What was the rationale for that?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** If I think correctly in what you're asking, I think that Nalcor used to make a submission and Newfoundland and Labrador Hydro used to make a submission. Now you would just get one submission from the entire entity.

It doesn't change the reporting requirements. They still have to put the same information in front of the House on an annual basis; certainly, no intent to put less information there. It's just it's only one now and, obviously, Nalcor, if it's non-existent, is not going to put a report out.

**CHAIR:** The hon. the Member for Labrador West.

**J. BROWN:** Yeah, just for clarification, there were two separate reports, it was the transparency and accountability report and then it was the corporations report. It's two different ones from NL Hydro.

What was the rationale for the idea of merging those two reports together?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** Like you said, the reports were 90 per cent the same, so it's more efficient to have it all in the one shot and one report as opposed to continuing on with two, just from a labour perspective.

**CHAIR:** The hon. the Member for Labrador West.

**J. BROWN:** Yes, thank you, minister.

Under the current changes there now, there was Recommendation 11 from the Muskrat Falls inquiry asking for Nalcor to make changes to the *Energy Corporation Act* on how the board was structured.

In this current bill here now, there are no changes in section 15. The board is going to be structured exactly the same as it was in the past.

What was the rationale for not going with that Muskrat Falls inquiry recommendation?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I'd have to get a little more specific because I don't have – this report has been on the go now for a number of years. So when you say the change to requirements of the board, do you have a little more detail as to – because what we have now, we've gone from two boards to one. That board will still have the same number of members. That's a process that is ongoing. There's some work left to do there in terms of the appointing of board members and figuring that out. But in terms of – actually, I'm getting it here now.

Apparently, the Muskrat Falls inquiry report recommended that government people be put on a board, which is actually not best practice, and some of the recommendations weren't what they considered legal best practice. That's what they're saying here.

In my estimation, we're going to continue to have one board. It's going to continue to have an amount of expertise in a number of different areas, whether it's HR, whether it's legal, whether it's accounting, whether it's business, electrical engineering, which is what the constitution of the board is now.

As for not changing, that's the approach that we got from JPS.

**CHAIR:** The hon. the Member for Labrador West.

**J. BROWN:** One of the recommendations was the Nalcor board have a minimum of nine, maximum of 11; another recommendation was that directors be chosen by the independent appointments

process that is established by government; another recommendation was Nalcor directors are appointed for initial terms of three years and are allowed to serve a maximum of nine years.

These were Recommendation 11 from the Muskrat Falls inquiry. So these changes were not made. The board is going to be the exact same makeup from the Hydro Corporations Act or the *Energy Corporations Act*, which both boards' structures for Nalcor and Hydro were essentially the same.

I'm just curious on why you never kind of went down the road of looking at Recommendation 11 from the Muskrat Falls inquiry.

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** The first thing I can confirm is that the board actually is appointed by the IAC, which is something that we've talked about for some time.

I'm just trying to make sure I had the different points there, you want to know why we didn't do x, y and z. Maybe you could just repeat the different ones again.

**CHAIR:** The hon. the Member for Labrador West.

**J. BROWN:** Sure.

The Nalcor board is a maximum of nine, a minimum of 11 members. That was one thing that was recommended.

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** If I could jump in right now, I appreciate your willingness.

What we've gone is a max of 14 here, which, I think, is a best practice. What I can say is with a board like this, having sufficient

people has proven to be a step in the right direction. I don't think from a corporate point of view, having a few extra people is necessarily a negative practice.

**CHAIR:** The hon. the Member for Labrador West.

**J. BROWN:** Another one was Nalcor directors appointed for an initial term of three years and a maximum of nine years. That was another recommendation.

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I'll wait for, again, some commentary from the Department of Justice on the term length.

Again, it's not something that sticks out to me in terms of what was there and what we have now. We haven't had an issue there. My experience with the appointment of boards is that you don't want to have board members that are around forever, but, at the same time, you want to allow for continuity and you want to allow for overlap as well.

What they're also saying is that three years from the complexity of the deals that Hydro deals with, three years is actually not enough time in many cases. So they're saying we should go longer than that.

**CHAIR:** The hon. the Member for Labrador West.

**J. BROWN:** Thank you, Minister.

That's fair. I was just curious on why these recommendations from the inquiry weren't followed, but if it makes sense, you're working in the hydro thing.

I guess the final thing is, with the changes to ATIPPA and the definition and narrowing in the definition, undo consequence into that, are there any other – with commercial sensitivity, with the hydrocarbons, if that

was considered a best practice, I guess, for a legal perspective?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I think, again, the big thing with the hydrocarbons, which was there and we've continued on with now – and, in fact, I think it was also one of the recommendations – is that, again, we're dealing with other multiple partners in many of these companies and we have access to their information, which is why we kept it the same.

Internally or externally, we haven't had a lot of push back on that. That hasn't led to any issues. In fact, we've ensured that information is protected. The big one, obviously, that we're dealing with here when you think about it is that we're dealing with the megaproject that went off the rails and there were a bunch of concerns from many different levels.

I think the legislation allows, now, for those questions to be asked and for that information to be provided, again, subject to the same exemptions that are under ATIPPA.

**CHAIR:** The hon. the Member for Labrador West.

No further questions?

The hon. the Member for Mount Pearl - Southlands.

**P. LANE:** Thank you, Chair.

Minister, just to clarify a couple of things that I brought up in second reading. First of all, I just want to say that I never got to the briefing; I wanted to be there but, unfortunately, I got dragged away, kind of, unexpectedly, and I guess I misread this.

Just for my confirmation, what I'm hearing you say, Minister, now is that when it comes

to all matters NL Hydro, if you will, and of course barring legit – I'm going to say legit – commercial sensitivity and so on, HR whatever, barring that, it is going to work just like a government entity now and it is going to be the Privacy Commissioner, not the CEO, just denying whatever he or she wants to, with no reasons given. It will be just like core government. Is that correct?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** The best way to put it, probably the simplest way to put it, is that everything but the oil and gas is subject to the regular ATIPPA provisions.

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

**P. LANE:** Perfect. Well, that's excellent. I'm more supportive now than ever; that's excellent. No, it really is. I'm so glad to hear that.

The other point that I kind of raised around the salaries and I only raised it because – first of all, I want to say when I'm talking about these salaries and so on at NL Hydro, I'm not referring to the linesmen and so on. That's never been the issue. The issue has been, I'll call them, the suits for a lack of a better terminology, the crowd that we're all very familiar with, the crowd that would have been on the stand at the Muskrat Falls inquiry and some of the lucrative deals that happened there.

I only raise it because at the time when the Auditor General came out with her report and she was, I guess, critical of some of that. I'm sure I did hear Ms. Williams – and I have no issue with her, by the way, either - say she didn't necessarily agree with all the points the Auditor General was making on the salaries and the impression I was left with was that nothing is changing. But I think I've heard you say that indeed some things have changed and just to confirm that that is the case.

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** So two things there: Yes, I mean in terms of the higher-ups of Hydro, Nalcor, with the coming together, there has been 50 per cent reduction in that and there's been a change in many of the things we've talked about before: car allowances, bonuses and things like that.

The one thing I will say – and, again, probably not politically popular but very real – the talent required to run NLH or OilCo or any of these groups, we're not worried about losing them to other people in Newfoundland and Labrador; I'm worried about losing them to other entities within Canada, bigger entities paying vastly more. That's the reality.

When you're talking about a utility providing power to the majority of this province, they are not the same as a minister or a deputy minister. I don't think it's an accurate comparison of core government versus utility. I'm not saying people are going to agree with me, and that's their right. They have the right to disagree, but one of the realities we have – and we're seeing it all the time – is that people in many roles – in fact, far below the ones we're sort of talking about here. We're competing against out of province and other entities who are paying far more for that skill set and we have to compete.

So I think the big thing – and I think me and you are like-minded on this – is that there was a culture within that organization of Nalcor that didn't care about what you thought or I thought or many people thought. I think with these changes over the last number of years, especially with the internal culture changes, I don't think it's the same feeling. I feel there's a true accountability there now.

I can't speak about what others felt like, but I honestly feel that this is a group that's accountable, and they should be

accountable politically as well to the department. There's always going to be a changeover. If I'm not in this seat, there's going to be someone else. If there's change in government, at the end of the day, what the people can hold onto is that they put us in our seats and if they don't like the decisions we make with respect to a utility or anything else, they can change us out. That's why these groups have to be accountable to the Legislature.

So that's how I feel. I do feel this is a step in the right direction. Again, that's not saying that there won't be more changes required down the road but, right now, I feel like we're at a good spot on that front.

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

**P. LANE:** I thank the minister for that and I agree. I think the word that we're kind of looking for here is a culture of entitlement, perhaps, is an accurate word. I think that people, in general – there are always going to be people, no matter what, that are going to raise issues about salaries and so on. We hear it all time, even as MHAs.

I think most people understand that you have to pay for talent and you have to pay for education, experience and so on, but I think that when you do so, you expect things to operate competently. When you see incompetence happening, such as the things that happened with DarkNL and all that kind of stuff, I think that's what really rubs people the wrong way.

It's like here we are paying all this money for all these, what people would consider, lucrative salaries and you can't even keep the lights on, and then you're coming up with all these excuses and we're seeing all this stuff with embedded contractors and no controls in place. So it's one thing to pay somebody if they're doing a good job. When you're paying them all that money and they're perceived, at least, as not doing a

good job, that's when it becomes an even bigger problem with the public in general.

Minister, one final question. I think you did say it in your response in the second but, again, I believe you said – and it was music to my ears as well – no more embedded contractors.

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** That's not mentioned in the legislation, to my knowledge. That's a practice right now by Newfoundland and Labrador Hydro where they go through procurement or RFP process on all this.

I think there were some issues back during that project where none of that was in place, and right now there's an accountability. Again, every year, they have to put reports here in the House and if that was an issue, they know it's going to be raised. That doesn't mean that they're not going to have to hire. They always hire contractors; they're going to have to hire contractors and that would be the case.

What it comes down to is the same thing, is being able to show the value for money, being able to show a readiness to understand the needs of the people when it comes to spending, because every dollar we spend there is a dollar that can be elsewhere.

So right now, going back to the leadership of Ms. Williams and her team, that hasn't been an issue. They've changed that practice and, again, any questions on that can also always be readily obtained from them.

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

**P. LANE:** This is my last, last question. As we're having the conversation, it sparks more thoughts.

I'm just wondering about accountability, and when I say accountability, for individuals. One of the things that I think really rubbed people the wrong way, including myself and I'm sure yourself, as well, was the fact that when we had, for example, the Muskrat Falls inquiry and there are individuals that were involved and named and we hear the stuff that went on, yet everybody walked away with the golden handshake and so on, and nobody is ever held to account.

The concept of you're being fired with cause, because you have legitimate cause, a lot of people in the public would say that, when it comes to government entities and so on, that concept doesn't exist. It exists everywhere else, that if you do a bad job, your employer has the right to end your employment with cause, but when it comes to these organizations, the perception at least is that everybody walks away and nobody is ever held accountable.

So I'm just wondering in terms of the set-up now and new people being hired and so on, is that issue even being talked about or discussed or mechanisms put in through HR that if somebody actually screws up royally that they can simply be given a pink slip with cause?

**CHAIR:** The hon. the Minister of Industry, Energy and Technology.

**A. PARSONS:** I'm not sure if it's possible to put a specific provision in that would cover off your concerns, because they're more broad than they are specific and there are a bunch of different things here.

One, there's a PUB oversight on everything that they do. There's an accountability there. As well, whenever they put in an application, Newfoundland Power actually has the ability to go over it, look at it, question it. The Consumer Advocate has that ability.

You will remember the PUB didn't have much of an affect on Muskrat Falls. That's

not an issue there now. The other thing is, again, they do file reports on a yearly basis. They are also still subject to ATIPPA, so anybody that wants to ask those questions can ask those questions.

Generally speaking, I can absolutely say, those events – I'll put it this way – going back to DarkNL and, in fact, I could go back to Bill 29, all of it is still fresh enough in the minds of the companies, politicians and the people that it's still top of mind when you consider these things. So while I can't put in a specific provision that's going to take care of that, when you've lived through something, you realize do you want to repeat those actions.

So the best thing I can say to you is that there's been a change in culture. There is a change in legislation that allows for transparency there. There have been many changes since that time.

In terms of walking away sort of scot-free, I get it, and there are different ways to look at that, too. It depends on what people's definition of scot-free is. In many cases, legally speaking – and probably the gentleman sitting right in front of me who was counsel, so he sat through a lot of this and probably has forgotten more than I'll ever know – in many cases, if you took direction from your superior, whether you're right or wrong, you took direction. What are you supposed to do, not take the direction? If you took direction from a CEO and that CEO is wrong. Well, you didn't actually do anything wrong per se.

The other thing, too, is that depending on – we can get into this all day, but legal accountability. If you followed your contract, that's fine. Now, me and you can sit there and say the contract was garbage; should've never been done. That goes back to the bigger accountability that we're talking about here.

Obviously, we're here in 2024, the end almost of 2024, we're still dealing with

legislation that comes from the fallout of a project that was first discussed in this House almost 15 years ago. I'd like to think a lot has changed. I feel good about the place we're in, I feel good about the ability to question decision-makings of Crown utilities and politicians and everybody else. I feel good about the ability of the office I sit in to ask question and ask for information. I think we're in a good place. That's sort of how I feel.

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

**P. LANE:** Thank you, Minister, I appreciate that.

I concur, I think there's a lot of good stuff in here, even better than what I thought. So I think we are moving forward in the right direction.

I guess just my final point – and it kind of ties into what I just said, I suppose, really, a repeat of it – is that I know when talking to members of the general public, I'm sure you hear it as well all the time, is that there certainly is this sense when it comes to a lot – not even just this entity. I don't want to go totally off track, but I even had people yesterday and the day before about this whole nursing thing and whatever and the managers and saying how many of them were fired. Then you hear they come out and say, nobody, nobody has been fired. And people say, well, they should all be fired.

I guess it comes down to this whole concept around accountability for people who are in charge that are doing things that may not be proper and so on, for those individuals to actually be held accountable.

People lose faith in government in general when they hear from time to time stories in this entity, that entity, some other entity, this department, where things happened that weren't right and nobody, apparently, from

the public's point of view, are held accountable.

They want to see somebody given a pink slip. That's what they want to see. This person did wrong; here's your pink slip, you're gone. You wouldn't get away with it in private industry or anywhere else; you shouldn't get away with it in government either. I guess that's sort of where a lot of people look at it. That's accountability.

With that said, I have no further comment. I thank the minister for answering all my questions. I think it's great legislation, better than I thought it was going to be, and definitely a step in the right direction.

**CHAIR:** Any further speakers in Committee?

Shall the motion carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Motion carried.

On motion, clause 1 carried.

**CLERK:** Clauses 2 through 72 inclusive.

**CHAIR:** Shall clauses 2 through 72 carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, clauses 2 through 72 carried.

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

**CHAIR:** Shall the enacting clause carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, enacting clause carried.

**CLERK:** A bill, An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy. (Bill 33)

**CHAIR:** Shall the title carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

On motion, title carried.

**CHAIR:** Shall I report the bill carried without amendment?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

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

**CHAIR:** The hon. the Government House Leader.

**J. HOGAN:** Thank you, Chair.

I move, seconded by the Minister for IET, that the Committee rise and report the adoption of Bill 33 without amendment.

**CHAIR:** It is moved and seconded that the Committee do rise and report Bill 33 carried without amendment.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

**CHAIR:** All those against, 'nay.'

Carried.

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

**SPEAKER (Bennett):** Order, please!

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

**P. TRIMPER:** Speaker, the Committee of the Whole has considered the matters to them referred and have asked me to report Bill 33, An Act Respecting the Amalgamation of Newfoundland and Labrador Hydro-Electric Corporation and Nalcor Energy, carried without amendment.

**SPEAKER:** The Chair of the Committee of the Whole reports that the Committee has considered the matters to them referred and directed that Bill 33 be carried without amendment.

When shall the report be received?

**J. HOGAN:** Now.

**SPEAKER:** Now.

When shall the bill be read a third time?

**J. HOGAN:** Tomorrow.

**SPEAKER:** Tomorrow.

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

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

**J. HOGAN:** Speaker, I call from the Order Paper, Motion 1.

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

**J. HOGAN:** Speaker, I move, seconded by the Deputy Premier, for leave to introduce a bill entitled, An Act to Amend the Family Violence Protection Act, Bill 97, and I further move that the said bill be now read a first time.

**SPEAKER:** It is moved and seconded that the hon. Government House Leader should have leave to introduce Bill 97, An Act to Amend the Family Violence Protection Act, 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.'

Motion carried.

**CLERK:** A bill, An Act to Amend the Family Violence Protection Act. (Bill 97)

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

When shall the said bill be read a second time?

**J. HOGAN:** Tomorrow.

**SPEAKER:** Tomorrow.

On motion, Bill 97 read a first time, ordered read a second time on tomorrow.

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

**J. HOGAN:** Speaker, I call from the Order Paper, Motion 2.

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

**J. HOGAN:** Speaker, I move, seconded by the Deputy Premier, for leave to introduce a bill entitled An Act to Amend the Arts Council Act, Bill 98, and I further move that the said bill be now read a first time.

**SPEAKER:** It is moved and seconded that the hon. the Government House Leader shall have leave to introduce a bill, Bill 98, An Act to Amend the Arts Council Act, 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.'

Motion carried.

**CLERK:** A bill, An Act to Amend the Arts Council Act. (Bill 98)

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

When shall the said bill be read a second time?

**J. HOGAN:** Tomorrow.

**SPEAKER:** Tomorrow.

On motion, Bill 98 read a first time, ordered read a second time on tomorrow.

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

**J. HOGAN:** Speaker, I call from the Order Paper, Order 13.

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

**J. HOGAN:** Speaker, I move, seconded by the Minister of Justice and Public Safety, that An Act to Amend the Opioid Damages and Health Care Costs Recovery Act, Bill 86, be now read a second time.

**SPEAKER:** It is moved and seconded that Bill 86, An Act to Amend the Opioid Damages and Health Care Costs Recovery Act, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Opioid Damages and Health Care Costs Recovery Act." (Bill 86)

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

**B. DAVIS:** Thank you, Speaker.

I'm pleased to stand here today to introduce a bill, Bill 86, as the Government House Leader mentioned, An Act to Amend the Opioid Damages and Health Care Costs Recovery Act, which is a mouthful.

Do I need to get a seconder, Mr. Speaker?

**SPEAKER:** Pardon?

**B. DAVIS:** Do I need to get a seconder? I think that's already been done.

**SPEAKER:** Yes, please.

**J. HOGAN:** I did it.

**B. DAVIS:** Oh, perfect. That's great. I thought he had done it, so that's excellent.

This bill that we're talking about here today and introducing is a result of the

collaboration between the Department of Justice and Public Safety, Mr. Speaker, and the Department of Health and Community Services. As the House is aware, the national opioid crisis is affecting individuals, families and communities in all provinces and territories right across our country, including here in Newfoundland and Labrador.

On August 29, 2018, the Government of British Columbia commenced a class action lawsuit against over 40 manufacturers and distributors of opioid products, including North America's largest opioid manufacturer, Purdue Pharma. British Columbia named the federal government and all provinces and territories as class members.

Speaker, the *Opioid Damages and Health Care Costs Recovery Act* received Royal Assent on December 6, 2019, and has not yet been proclaimed into force. The goal of this act was and continues to be to ensure that Newfoundland and Labrador hold the opioid manufacturers and wholesalers accountable for their role in the current public health crisis.

The act helps strengthen the government's negotiating position and promotes the advancement of the class action. It allows the government to sue opioid manufacturers and wholesalers for their alleged wrongdoings. It will assist the recovery of past, present and future health care benefit costs due to the opioid-related disease, injury or illness.

In recent years, we have seen numerous, sometimes large settlements in the US. So far in Canada, the litigation has been going and settlements have been reached with a number of opioid manufacturers and distributors. It is important that Newfoundland and Labrador are not left behind and that the province gets its fair share of those reparations.

Since the *Opioid Damages and Health Care Costs Recovery Act's* Royal Assent in December 2019, many other provinces enacted similar legislation. This Bill 86 would amend this act to define – based on legal advice from our head counsel – consultant as meaning a person who provides advisory services to the wholesaler and/or manufacturer; it will add a direct cause of action against a consultant; define active ingredient as meaning an ingredient prescribed in the regulations; amend the definition of opioid product to include active ingredient; amend the formula for calculation of market share for wholesaler and manufacturer defendants; provide a joint liability for directors and officers; create a public-nuisance cause of action by statute against certain defendants.

It will also add a direct cause of action by the federal government, and it will also change the limitation period from two years to 15 years. The amendments in this bill will come into force when the *Opioid Damages and Health Care Costs Recovery Act* is proclaimed.

Speaker, this government is deeply aware of the profound impact that the opioid crisis has on individuals, families and communities across the province. This crisis has been perpetuated by opioid manufacturers and wholesalers. This government continues to seek the latest evidence on the best practices and alternate treatments for substance use, while working closely with health care professionals, community leaders and individuals with lived and living experience.

This government is committed to the continuum of mental health and addictions supports that span prevention and early intervention, harm reduction and recovery. This stepped-care approach means services range from education and peer support to community-based counselling and inpatient programs, with minimal wait times for many services across the province.

Through Newfoundland and Labrador Health Services, we are advancing several key initiatives to reduce the harms associated with substance use. These include the provincial take-home naloxone program, with over 150 distribution sites province wide; opioid-dependent treatment hubs offer rapid same day or next day treatment access; and the harm reduction team in St. John's, which provides care and harm reduction supplies throughout outreach and walk-in clinics.

In 2023, in response to the increase of opioid overdose and death in Newfoundland and Labrador, government convened an All-Party Committee on Mental Health, Substance Use and Addictions, with the emphasis on youth and young adults. The work of this Committee builds upon the work of *Towards Recovery* and the ongoing implementation of the Newfoundland and Labrador Health Accord.

The Committee is currently hearing from community stakeholders and people with lived and living experience, and reviewing mental health, substance abuse and addictions services provincially. The goal of this Committee is to provide recommendations on improvements to the existing programs and services, and the development of new ones, where necessary, to better serve the needs of Newfoundlanders and Labradorians.

Speaker, government also recently announced substantial completion of the construction of the new adult mental health and addictions centre, which will replace the Waterford Hospital. This state-of-the-art facility will provide a modern, recovery-focused approach to mental health and addictions-based care. Earlier this summer, the government announced the new Downtown Health and Well-Being Centre, which will provide a variety of services, including mental health and addictions care for individuals requiring long-term support.

While secondary to the pain and suffering of Newfoundlanders and Labradorians, this crisis has also meant that the people of our province have incurred significant costs related to health care, including hospitalizations, emergency department visits, specialist visits, physician time and drug costs. The magnitude of the costs cannot be overstated. Bill 86 will allow the province to recover some of the health care costs associated with this crisis and hold opioid manufacturers and wholesalers accountable.

I am pleased to support this bill and I ask all hon. Members in this House to support it as well with us on this side of the House.

Thank you, Mr. Speaker.

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

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

**C. PARDY:** Thank you, Speaker.

Before I get into Bill 86, I'd be remiss if I didn't just take a few minutes, because we've got two avid watchers of the House of Assembly who are celebrating birthdays today in the District of Bonavista and I just wanted to acknowledge them on behalf of the House.

We've got Scott Martin in Elliston, who's celebrating his 67th birthday.

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

**C. PARDY:** Then we have Max Pearce from Elliston, his 75th birthday.

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

**C. PARDY:** Two avid watchers of the House of Assembly.

We've talked about bills in the House and legislation being brought forward, and we have no problem with supporting this bill.

We support the bill. There's no doubt about that, going after the manufacturers of these opioids is a good thing. That's what we ought to be doing, so no problem with the bill.

The Member who spoke on the previous bill, from Mount Pearl - Southlands, I think he had used and I quote: sometimes legislation doesn't go far enough. Just as a case in point, the Medical Act, which again is relevant, the Medical Act which will come up will look at the physician assistants.

Well, for a year and a half we've been trying to get a physician assistant down in Bonavista, and I think we lost a doctor in Bonavista because of legislation. So there is some important stuff in legislation that we wish would be more pronounced and more timely.

I had a call this morning from a constituent in my district – this is very related to this bill. Forty years ago, he suffered a gunshot wound – and before you jump to conclusions, it wasn't criminal, it was by accident. It was on New Year's Eve when somebody was trying to get their gun established and it went off prematurely and he was shot in the midsection.

He was saying that the shots are still in him. He had reconstructive surgery on his hip. This was over 40 years ago. For the past 10 or 11 years, he's been on OxyContin, on an opioid. He went in to see a physician at emerg, and emerg said that he has three days left and the physician had said that they weren't going to renew the prescription. We would all know that this gentleman would have created a pretty serious addiction and attachment to that opioid over that period of 10 to 11 years.

So when we look at legislation, I always look at the legislation from a lens to say: How is it impacting the people that would be on the street, the people that would be in our communities in Newfoundland and Labrador? This gentleman who called this

morning will be pleased that we're joining the lawsuit, the national lawsuit that was started by BC in 2018, the minister states.

But would that be his primary reason for wanting to see something in this bill? I would say that he would like to see something that would be meaningful to help him get through and get past his addiction. I asked him: 10 or 11 years you have been on an opioid, did anybody reach out to you to say what we need to do is we need to reduce that amount and we probably got a program for you? In 10 or 11 years, it hasn't happened. That would be something within legislation that I think we ought to be looking for, and he would be excited.

When I got elected in 2019, a gentleman who I knew from hockey had reached out to me and he admitted that he had an addiction to an opioid. It all came after a surgery and he knew that he was having a tough time getting off the opioid. I tried my best to find a family physician to treat him. There wasn't one in Bonavista District.

I reached out, which I heard in St. John's was a gentleman at Mundy Pond who did great work with that, without mentioning the doctor's name. I reached out to that office and that doctor, his caseload was full, even though he was working with a lot of people that had addictions.

So when I look at bills, this bill is a no-brainer, but we'd like to see something a little deeper to say: Let's help all those people out there that have addictions to opioids that are in our province. Let's create and let's navigate a better pathway than they currently have. I can only speak to the District of Bonavista. The minister, I'm sure, bringing this bill in has got data that he'll probably share in a few moments when he stands again about how widespread the opioids and the narcotics would be in our province, and how it relates per capita to the rest of the country.

But we do have an issue with this. Does it cost us? You better believe that it costs us. This Bill 86 will enable us to join a national effort to try to reclaim some of the expenses as a result of the addiction to opioids.

So I would say we have questions on the bill; we'll have questions when we get to Committee. We will support the bill because I would think that we do need to recover costs, but, again, I'd love to be debating a bill here that will create a better pathway for those who have opioid addictions.

The two examples I gave from the District of Bonavista – I'm sure there are more out there – that pathway may not be a well-travelled route and I think that's the one that we need to debate to make sure that we're there to help all those people who inadvertently become addicted to opioids.

Thank you, Mr. Speaker, and I look forward to Committee.

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

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

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

Speaker, this bill amends the *Opioid Damages and Health Care Costs Recovery Act* to align with similar legislation that has been enacted in other provinces. It was passed in 2019 but has not been enacted. The act sets out a framework for the province to pursue legal action against opioid manufacturers to recover costs of health care services. Of course, this is in relation to a national crisis related to opioid addictions and overdosing.

Similar legislation has been enacted in other provinces and there currently has been noted a national class-action lawsuit against opioid manufacturers.

I will state upfront, we will support this as well. If nothing else, it's about making the

producers pay, but also reparations for the damages that have been inflicted on the people of Newfoundland and Labrador, and maybe even on the health care system. Not only their drug addiction, but mental health as well.

The minister has talked about how this will basically strengthen government negotiations and its legal actions. So I am assuming negotiations, probably in terms of reaching a fair settlement that compensates the province for the damages inflicted as a result of the addictions and overdosing and so on and so forth. How you can, I guess, in many ways, with the loss of a loved one, assess that damage is one thing. But at least there's some recognition here that damage and harm and heartache were inflicted.

It references large settlements in the United States, and it's important that Newfoundland not be left behind and that it gets its fair share of reparations for the damages as a result of the harm perpetrated by opioid manufacturers and wholesalers.

I guess the question comes down to then, is – and maybe this can be answered in Committee – how much money is anticipated? What would be the settlement? What would be the reparations anticipated? Has there been an assessment of what these damages would look like? Maybe that can't be revealed at this time because it would be tipping the hand. But that would be interesting to know what indeed this would look like, what would be a fair compensation, a just compensation from these manufacturers.

The second part is how would this money then be used, if indeed the province were to avail of it. I ask that question because – and I remember last year when the people were camping across from the Confederation Building, I met a former student of mine there. I remember his words. His words still come back to me. He said: Look, Mr. Dinn, I'm up on the –

**AN HON. MEMBER:** You're not allowed to use your name.

**J. DINN:** I'm not allowed to use my name.

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

**J. DINN:** Right, that should be good. There are many things I could call myself, but anyway, I'll settle for Mr. Dinn right now. There are many things that others may call me as well, so I'll nip that in the bud right off the bat.

But I remember what he said to me why he was up there and not down in one of the shelters. He is only in his, I would say, late 20s early 30s, and he had a post-secondary education. He was qualified in a trade, Red Seal. He said: Look, I've been in prison; I know the pathway back to jail. I've been in substance abuse; I know the path. That's the pull that's on me. That pulls me in that direction, and it's comfortable to go back into it because I'm familiar with it.

But he said: If I had something – in this case, a house, a place to call his own – that would give me something to hold onto, that I would be committed to that path of well-being. Now, I've been in communication with him since. He's not living in the city. He's living on his own in the community from where he came, where he was born and his family was, and he's doing much better. But when I think for him is the mental health issues and also the drug addictions that basically led him down that path away from a life that could have been – well, that had some major setbacks.

I had a call into my office from a parent, who is concerned about her adult child, another student I taught, who is in active addictions and psychoses, but not in an area right now where they're able to respond with the mobile crisis unit to help that person. And this parent is traumatized; no matter how old your children are, the fact is they're always going to be your children and you're

always going to be their parent. It's as simple as that, no matter how old they are.

Regardless of the decisions you make, you're going to suffer the anguish. So she's reached out; I'll be speaking to her at some point as to what kind of help is there for her and for her child. I think what I'm coming around to here, more or less, when we talk about the use of the recovery – and I'm assuming there's an anticipated compensation, or at least some estimate maybe as to what could come from this and maybe an estimate of the damages, if indeed that's the case. I would assume, what are we going to use it for?

Is it simply going to look at, well, we've spent this much money that we can attribute to opioids, and this is just compensation to make up for those costs? But also specifically then, once we get that money, what are we going to do for the families who have loved ones who are trying to recover, for those who are experiencing active addictions, or are maybe at the stage where they want to avail of help either in recovering or managing it, what will this look like?

We can find, as well, that for a lot of people, it's finding the services when they need it, they're not always there. Not having experienced it personally myself, it's important to have those services available when that person reaches out.

The Member for Bonavista speaks about the gunshot wound. That's a good point because we talk about, those are physical wounds, but there's also the mental wounds. I know when I would speak to my guidance counsellors in the school system, they made it very clear. I know the Member for Bonavista would be very aware of this and the minister across the Chamber here, of CSSD, also as a former teacher would be aware of this, that in many ways underlying just about every addiction, there's a mental health issue and you're dealing with pain. Either there is a physical pain – I would say,

with the physical pain, there's the mental pain as well. Am I ever going to be back to where I was? And the depression and everything that goes with it.

But underlying just about every addiction there is that mental health issue that needs to be addressed. So I'm assuming here – and this will be one of the reasons why I would support this – is whatever compensation the province is entitled to – and I believe that the province is entitled to that, because that has put the health care system under tremendous pressure, probably unnecessary pressure. I would say these manufacturers knew of the damage that these drugs would do. That, in some ways, whatever compensation, whatever settlement that we eventually settle for, that it's going to take into account not just the damages, but also the ability to rehabilitate and to provide the supports for the people that call our office, often with tragic stories of addictions and also the mental health as a result.

That's something I would like to see. There are questions, but that's a question certainly maybe the minister can speak to when he does address this.

Thank you, Speaker.

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

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

I'm going to stand and just have a few minutes to speak about Bill 86, An Act to Amend the Opioid Damages and Health Care Costs Recovery Act.

Again, as all speakers so far, I will be supporting this bill. Just for the record, I was in the House of Assembly on the tobacco recovery. We voted also then for tobacco recovery and this is along the same lines as the bill that was passed back in the early 2000s for that.

I've just got a few statements and a few questions that the minister can answer later when he stands up and responds.

This is a serious crisis to a lot of people. I know many people who had a serious operation, serious recovery with a lot of pain, and before they know it, they feel that they're addicted and many of them end up being addicted to these opioids.

They don't understand the long-term effect, how it affects your body. I know many, many individuals that went through that stage that they just took it for pain, they just took it because they had a few health concerns with their operation or traumatic experiences and, before they knew it, they needed help to wean themselves off the opioids.

When you study about opioids all across the US and Canada, a lot of States in the US and other places around the world and Canada, there's one thing that comes to mind, there was never as much information put in about what happens if you continue to use this, if you use this on a regular basis, if you do not seek help with this, the dangers of opioids.

We find a lot of people – a lot of people you wouldn't expect – that because of no ill intent, they end up becoming addicted to opioids. That's what happens to a lot of people. Then you get a lot of younger people who fall into the trap of opioids. I'll just do it once or twice, that'll be fine.

I'll go back 40 or 50 years, where I remember on the cigarette packs the danger wasn't put on so everybody had a few smokes. Now, you go back over time and you see the danger that they had, with the lung cancers and other cancers because of that, because a lot of people said: It's only having a smoke. The dangers were hidden by the big tobacco companies, it was hidden even in the stores.

The age was very low that you could go and get some cigarettes. A lot of people would buy them at school for a nickel, a dime and they didn't realize the dangers because it was never the education part and it was never put on the cigarette packs.

This is another example that came after. A lot of times these opioids, for the health care system, are used in a very good way. But if the education to the person who's using is not explained, then we could have dangers. The companies who made the opioids, if you go back over history, they never did explain the dangers of the opioids. This is why I feel that we should find some way to also sue those companies, like we did with the tobacco companies, because of the lack of knowledge and education that they provided to the public. It was almost like it was hidden and once you get hooked on the opioids, it's very, very difficult to get off the opioids, very difficult, I can assure you.

The only few questions I'm going to ask the minister and the minister can answer in his rebuttal, is, one, if we win the court case, which, I think we will, will the funds be put back into general revenue, or I'll make a suggestion, whatever funds we get in this court case – it may take a few years, it may take a bit longer – but can we guarantee that it's going to be for a specific entity which is the education of the danger of opioids and help the people who are on opioids for the treatment they need?

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

**E. JOYCE:** We could take it and put in general revenue. Once we put it in general revenue, as we learned about the sugar tax, as the commitment was made that the sugar tax was going to be for education, for diabetes, heart and stroke – nothing done. There might have been some programs done, but there was a commitment out there. There was a commitment that 100 per cent of the funds would go for education and we might have food programs.

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

**E. JOYCE:** I'm not arguing, I'm just stating what happened because I was the one who brokered a deal, myself and the Member for Mount Pearl - Southlands. I'm not here to argue, I'm just saying what was committed and that wasn't done.

I'm asking the minister, is there any way here that if the money comes in, that we put it for what the lawsuit is for? That's the question. That would be a big selling point on this whole – I think everybody in this House is going to support this bill. I'm more than confident everybody is going to support this bill, but if we take the funds that we're going to win by the lawsuit, which may be years down the road. There are no allusions that this is going to happen in the next week or two, it's going to be down the road. We should try to find some way – and I know it can be done, it definitely can be done – to make an educational program for the youth.

Forget about just saying, okay, we'll put in general revenue and then we got to go in and try to haggle for the money over health care, over education, over roads, over others, and that's normal, but where the education program comes in – and I know there are a few teachers here in this Chamber right now – where it begins is with the youth. If you don't get the education at the youth, there is a good possibility a lot will go off the rails; we all know that.

So this is why we'd use the funds for an educational purpose, number one; and number two, then help the people who are on and who are addicted to these opioids to get off so they can lead a great life after. Those are the only two concerns that I have with this.

The minute that we don't make that commitment in this House of Assembly, as sure as I am standing here, as sure as we're going to vote this here, as sure as it's going to pass, that will not happen. It will not happen.

What's going to happen, again, after that? This crisis is going to start younger and younger and younger because we didn't do the education in the schools that we should be doing. This is my concern on this here.

So I will be supporting this bill. Those are suggestions for the minister to bring up. I don't say there's a person in this room that don't know someone who has an addiction with opioids, either through health care or through some way that they might have tried it a couple times; I don't know if we know anybody who does not.

This is a silent disease that we all get. Sometimes we just shun it away and push it away, but it's real. It's very real, and if we could do anything for this in the future, if we win the lawsuit, to put it into the education; put it in for the self-help for the people that need it. By the time we get these funds, I assure you that we will do the province a great service.

In the long run, 10 or 15 years down the road, you will see the difference through the education and through the hard work of a lot of people who are out now supporting a lot of people who need help through their addiction to this.

Thank you, Mr. Speaker.

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

**P. LANE:** Thank you, Speaker.

I, too, will be supporting Bill 86. I'm not going to get too repetitive, I guess, but a lot of what needs to be said, I think, has been said. We all know people with opioid addictions. I've had a number of people that I've dealt with from my constituency, and you talk about issues with opioids, which a lot of it started with a doctor's prescription pad. There has to be accountability there, as well.

I can recall one gentleman – the Member for Mount Pearl North will remember this as well because she was with me at the time – he had an opioid addiction. It was all bad enough that he had that injury that started him on opioids and those opioids prescriptions kept getting renewed and renewed and renewed and refilled and refilled and refilled, then, at some point, his doctor decides: I'm going to drop you now as a patient. The doctor decided to drop him as a patient. We had other people who told us the same thing, which I thought was absolutely scandalous that you would have a physician who would have patients and prescribe opioids to them for a period of time and then just drop them cold turkey and say: I'm dropping you as a patient. Then the person had nowhere to go.

I actually went to the College of Physicians and Surgeons about it because I thought it was ridiculous. I did talk to another doctor who somewhat tries to specialize in that area, I guess, and he agreed, he said it was ridiculous what was happening. I think it was because of all the issues over the years coming out with opioid addictions, a lot of pressure on physicians. So they decided they weren't going to see any patients with opioids anymore, not going to prescribe them anymore. But to leave patients high and dry was, in my opinion, immoral. It really left those people in a very, very tough place.

I can remember even after that, I said, well, we'll try to find you another doctor. I was being told, well, b'y, you're not going to get a doctor to see anyone with an opioid addiction. I said: What do you mean? They won't see them. I can remember a doctor's office only a couple of years ago opened up in the centre of the city, it just opened up, and I called down. I said: You're just opening up? Yes. You're taking patients? Yes. I said: Okay, I have an opioid prescription. Sorry we can't take you. I said: Pardon me? Sorry, I can't take you. I said: I thought you were taking patients. Yes, but we're not taking patients with an opioid

prescription, the doctor is not going to take them on as a patient.

That's a failure in our health care system. That's a major failure in our health care system that here we are with – I know we're struggling to get physicians, but that we would have physicians out there taking patients, but not taking patients if they have an opioid prescription. So where do these people go? Where are they left to go? Running around to emergency departments and so on, trying to get – and in some cases, going to the streets because they can't get a doctor to give them a prescription. So this has been and really is a big problem.

Now, speaking to the legislation itself and the briefing, my understanding is that the legislation here is doing a couple of things because, of course, the act was already passed. That was one of the questions I had was, we're here now and we're going to make changes; didn't we already pass this in the House of Assembly? I can sort of recall already debating this. They said, yes, 2019. We did it in 2019, but it's not proclaimed. I said, so we debated and passed a piece of legislation five years ago and it's not even proclaimed?

I couldn't get an answer from staff – maybe the minister will give us one – as to why, five years later, we did zilch. So what's the point of coming in here and debating legislation if we're not even going to enact the legislation? So that's why, when my colleague from St. John's Centre and my colleague from Humber - Bay of Islands, talked about what are we going to do with the money? I would say, based on where we're to in terms of timing thus far, maybe you better ask that to whoever the Member is going to be when that happens. They're probably in one of the elementary schools right now. That's how long it's going to take, based on where we're at, to, actually, get any money because, here we are, five years later and we've done absolutely nothing. Now we're making changes. So based on

where we're to, I wouldn't be counting on collecting any money any time soon, I can tell you that.

But the changes that are being made, apparently, one is to allow the feds to jump in on this and the other one, which I do agree with, we were told in the briefing, is to widen the net. They're widening the net for people and companies that can be held responsible for the opioid crisis because, right now, it's the companies that are producing the opioid, but my understanding now is that – because an opioid, a pill, or whatever, it's got different ingredients, that pill is made up of different ingredients.

Now if an oxycontin, for argument's sake, has 10 ingredients that are all put together to make an oxycontin pill, now it's not just the manufacturer of the oxycontin, it would be also the manufacturer of the addictive ingredients that went into the oxycontin. Because oxycontin, for argument's sake, could be made of, like I say, 10 different ingredients and eight of them are probably fine and two of those ingredients are the ones that cause the addiction.

Now the companies that actually made the ingredient that was addictive that went into that pill, they could be held accountable. I think some of the middle men could be held accountable in terms of between manufacturers and sellers and so on. It's sort of widening that net to hold more people accountable that are involved in the manufacture and distribution of opioids so we can get at everybody. I would agree with that, too. I think that's a good thing.

Of course, as has been said, we all know the damage that's occurred to people in this province and across the country, I'm sure across the globe for that matter, and there's no doubt there are significant health care costs that would be borne by the province and would go well beyond health care costs. Because health costs are one side of it.

In terms of trying to quantify the damage, as the Member for St. John's Centre said, it's going to be a task to kind of quantify the damage, because what part of it is the health care costs around the actual addiction itself, but then if that leads to mental health issues, that leads to courts, if that leads to incarceration and all of those other things that happen when people have serious addictions. All of that is a cost to the taxpayer – all of it is a cost to the taxpayer. That's going to be a huge number. Anything we can do to collect on that, I think we should do it. Every Member, I'm sure, agrees with that.

As far as this whole idea of the money that does come back, whenever that might be – and, again, I predict many, many years to come – we all know how it works. I appreciate my colleague for Humber - Bay of Islands saying they have it targeted, but we all know that we've been down that road with other things, whether it be the sugar tax or even the carbon tax when the province was collecting the carbon tax.

At the time, the province was collecting the carbon tax; they did it for a couple of years. At that point in time they said, oh, all the money is going to go towards green projects and all that kind of stuff. We know it all went into the general revenues. Some of it probably went into some green projects, but it didn't all go there. A lot of it just went into general revenues and got spent on whatever. I suspect it will be the same with this.

We all know it's going to go to general revenue. So it will just simply be a case of the government of the day, whenever we do receive any money, if we do, through its normal budgeting process to decide how the money is spent. I guess it would be up to the Members of the House of Assembly, at that point in time, through the normal budgetary process and otherwise, to advocate for money to be spent to help people with opioid addictions and so on, if they feel that is a priority at that given time.

It's nice for us to throw it out there as an idea today, but the reality of it is that by the time any of that happens, we're all going to be long gone I would suggest. There will be nobody in this House of Assembly now – none of us will be here by the time those decisions are made. I doubt it highly, based on average time. When I say not here, we might be alive but we won't be in the House of Assembly is what I mean. So that will be something for those Members, whoever they are, to decide at that time.

Anyway, those are my comments on it. As I said, I'll support the bill.

Thank you.

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

**J. DWYER:** Thank you, Speaker.

Of course, it's always an honour to rise in this hon. House and speak on behalf of the people of Placentia West - Bellevue.

The reason why I want to speak to this bill – and I sat in on the technical briefing and stuff – is because currently we have a real opioid crisis on the Burin Peninsula. Some days, it feels like very short years and some days, when you're dealing with sensitive topics like this, it's five very long years. It's a trickle-down effect when you have somebody that's addicted and they need supports.

When it comes to a trickle-down effect, you're looking at treatment programming first and foremost, but then, if they don't get the treatment programming it's a cost on our policing, if they're housed in one of our jails or anything like that. We need to have the programming available so that jailing doesn't set them up for failure to head back to the streets. That seems to be the option of choice: out of sight, out of mind, which is unfortunate because that trickle-down effect really affects everything. Even if they're let out, a lot of times they're going to be looking

for housing or they're looking for different programming to try and better their life. Or they're not after getting that treatment and they're still staying addicted, which is very unfortunate.

One of the things that kind of came to my attention during the technical briefing was the fact that we debated this legislation back in 2019, we passed it, but it hasn't been proclaimed into legislation. For the people watching, what that means is that it can't be enforced until it's proclaimed. So although we can debate it here all we want in the House of Assembly and we can bring bills to the floor and stuff like that, until it gets that Royal Assent and it's proclaimed, then it's still legislation that is open on the floor of the House of Assembly.

Like I said, it's something that we really need to look at. Just as an example, I had somebody that I know went in for an outpatient surgery; just a little fester on their finger, nothing big as he would say. Only for the doctor wanted to have it looked at to make sure there was no further complications, he said it was probably something he could have put a bit of milk on and let the cat lick it off.

With that being said, on his exit from outpatient surgery that day, he was given 180 OxyContin. He's like, I don't need 180 OxyContin; this doesn't make sense. Luckily for us, in our family we have a chain of pharmacies, and we have probably some of the brightest pharmacists working in that chain. I don't mind giving them a shout-out. It's the Family Drug Mart.

Currently, Family Drug Mart has one of the brightest minds in the province when it comes to being up-to-date on different drugs, different treatments and everything. That's my first cousin, Kara O'Keefe. She's a PharmD. The way she analyzes things and understands things, she's a brilliant mind. I would really hope that these are the people that we are consulting when it comes to looking at things like this. If we're

making a suit against somebody, then when we bring that money back, it's the programming that the boots on the ground need to treat these opioid addictions. It's not only the addict that is affected, it's the families, it's the friends, it's the community.

Another piece of the trickle-down effect is just try telling an addict that they can't have something and I guess they'll find the resources to do it. A lot of times, that can come from nefarious means. So we don't want people having to turn to that but, again, we all have to take responsibility. Us as legislators here in this Legislature can pass all the bills we want, if we don't have a willing community that's going to help with the legislation that's being passed. As a House, we need to proclaim it as well.

Therefore, that's what I'm saying. Part of this whole consultation process should include the NLMA and the college of pharmacists for the simple fact that they are the boots on the ground; they understand this probably more than anybody. They're treating the illness or the injury, but it's creating something else that is creating the trickle-down effect.

Like I said, I've worked with a lot of people on the Burin Peninsula, in particular. A couple of names that I'd like to throw out there because they are doing tremendous work; they wear their heart on their sleeve. The way that they care about the people on the Burin Peninsula is second to none.

First and foremost, I want to mention Denika Ward. Denika is a specialist that's working with mental health and addictions. We've had a couple of symposiums and stuff like that and I've participated. As I've told her, just keep the invitations coming because I'd like to be part of the solution, not the problem. I think by sitting out of these conferences, you become part of the problem because not everybody is getting the same message. We have to be part of the solution by being at these meetings and

these requests to me, when it comes to addictions.

Another couple of people that I think are really integral on the Burin Peninsula are Starr Smith and Connie Fewer. They work very closely about domestic violence. Again, this is another kind of trickle-down effect from the opioid crisis on the Burin Peninsula; it's creating other issues. I'm not making excuses or anything like that, but I don't know if it's their frustrations or what it is but for us to have to go out to the government and ask for monies to increase the size and the capabilities of our Grace Sparkes House, I think that speaks for itself.

While that is greatly needed, something that I've brought forward to this government and our federal counterparts is taking the former Grace Sparkes House and turning it into a mental health and addictions centre for men so that we can start treating the cause, I guess, instead of the symptoms or the outcomes.

Like I said, it's about everybody working together to get to a point where we can make a difference in people's lives, as opposed to just shuffle them out of sight, out of mind or anything like that, so they're not getting treated for the issues that they currently have.

And to go back to the thing about coming out of outpatient surgery and being offered 180 oxycontin. To me, for somebody that don't have good intentions, we'll say, that's quite lucrative on the black market; thus, creates the black market when people that probably never had an injury, they're thinking of this as a recreational drug, and that's because of the availability.

Like I said, we all have to do our part in making sure that we're treating the person that the prescription is for but not over prescribing to the point where it becomes a creation of a black market when it comes to off-the-street drugs.

One of things about this is that the legislation is going to change the limitation period, which I think is very important, because it was a two-year limitation in order to go after it, but a lot of times people are addicted even longer than that; therefore, the limitation to this legislation now is going to go from two years to 15 years, giving the province that opportunity to recoup costs from the manufacturers and the agents and stuff like that.

But I will note, the province doesn't take control of the individual suit. If an individual has a suit against an opioid company, they can still proceed with that and, consequently, the same with the federal government. They can have their own suit which can be separate from the province, separate from the individual. So there can be three suits going on simultaneously, all for the same reason.

So I just wanted to make sure that was clear for the people watching, especially for my district. I've been working closely with the people on the Burin Peninsula for the last five years to understand this because, as my colleague alluded to, it's the mental health side that kind of elevates this opioid crisis because it's the path of least resistance, maybe, to treating what you're going through, which is unfortunate. But, hopefully, with any monies that are recouped, we can get that programming in place in order to give these people a good quality of life and to move forward without addiction.

There are a couple of different places that I'd like to take my questioning from when we get into Committee stage and that's support for the addiction. I've got a couple of questions on the prevention itself. I also have questions on social, family and health support side. I also have questions on the education and care plans that we, hopefully, plan on putting in place because I do agree with my colleague from Mouth Pearl – Southlands, the monies that are coming back should be earmarked to treat what's

going on here because this is not money that is a revenue generator. This is trying to recoup costs. Therefore, let's put the money back into what we know it already cost us. So that would probably be very responsible for us.

The other thing is the opioid products, there's a new list of active ingredients. I think that would be important to table here in the House of Assembly for the simple fact that then everybody's on the same page. It's not remiss as to what's included or anything like that. I'm sure that the minister is probably going to provide that list.

There is a class action lawsuit that's going on currently. But, again, the federal government, the provincial government and the individual, while they may be tied to each other jurisdictionally, they are separated by jurisdiction as well. Like I said, it's about making sure that we're putting our best foot forward and recouping and recovering costs that we've put out there in trying to help people with opioid crisis.

For anybody that's out there suffering or hurting right now, you know, you can always reach out to my office. But some of the people that are in place who are currently on the Burin Peninsula, while they're doing a great job, what we ask, I guess, is that the recovery of any funds or any more budgeted funds that can become available would be allocated to the Burin peninsula so that we can treat the ongoing crisis as opposed to just the symptoms of that crisis.

With that said, I look forward to the Committee stage, Minister, and I look forward to asking some questions on behalf of the people of Placentia West - Bellevue.

Thank you, Speaker.

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

**SPEAKER:** Seeing no other speakers, if the Minister of Justice and Public Safety speaks now, he'll close debate.

The hon. the Minister of Justice and Public Safety.

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

I thank my hon. colleagues on the other side of the House for their support. It seems like it's going to be supported. Obviously, there'll be questions, of course, which we anticipate and we'll do our best to answer those.

The MHA for Bonavista talked about the challenging issue that is opioids, which I fully agree with. This bill is directly about the legal challenges that we're in right now. My hon. colleague from Central mentioned that there's very little wait time with respect to Doorways and the centre in Central itself. So that's something that we could help address there.

This is just going to make the legal advice that we have from our head counsel that's in BC, to provide this advice to firm up our stance, to make it stronger and puts us in the best position to receive the highest amount of money in a settlement that would come forward. So that's the main reason for the piece of legislation here today.

The MHA for St. John's Centre, thank you for the support. I agree with almost everything he said. That doesn't happen very often, but I do agree with almost everything he said there.

**SOME HON. MEMBERS:** (Inaudible) weak moment.

**B. DAVIS:** And it's not even a weak moment. We want to make sure that we hold the people that are responsible for this issue that is plaguing, not just our province, not just our country, but the global community, accountable.

Those individuals were not forthright on what they said. I know the MHA for Mount Pearl - Southlands had said the similar thing, that the changes we're making are going to – as he used the term – broaden

the net or widen the net, which I think is a very good rendition of what we're going to try to do here.

The MHA for Humber - Bay of Islands, thank you for the support. He asked a question that I was going to address very early. I think the MHA for Mount Pearl - Southlands addressed it for me before I even got up, talking about general revenues. That's where the revenue would go and then there would have to be a decision made by the government of the day. As the MHA for Mount Pearl - Southlands had said, this could be multiple years in the making of what could come from this. I know that the MHA for Mount Pearl - Southlands mentioned – I don't want to misquote him. He said something about we weren't working on the file, while it wasn't proclaimed. That wasn't true.

I just want to let you know that we've been working with them very closely on that. It didn't need to be proclaimed in order for us to move forward with this. This is why we're here today, making the changes that will be, for us, to start moving in towards the legal challenges that would come from that, whether that be down the road in a couple of years from a settlement perspective.

Every province around the country had put in – I don't want to say, framework legislation, but put the framework legislation in, that's what I would consider happened in 2019, to move to a point where we would have more formalized changes that we talked about, like defining the consultants, as what that means and who's providing the advice to the wholesaler or manufacturer, the direct cause of action against the consultant. That's what we're doing here.

That's what the legal wrangling was going to be doing over the last couple of years, to get us to a point where we knew what all of us across the country are going to have to try to have similar pieces of legislation that allow us to get the best opportunity to – I hate to use the word reap the reward, but to

take as much from the opioid manufacturers, like the hon. Member for St. John's Centre said, Purdue. Making sure they pay for what they didn't educate the public on, whether that be doctors or whether that be the general public in general terms. They didn't educate the public on what could happen by using these opioids.

I agree with the MHA for Placentia West - Bellevue on his support for this. Thank you for that and the words that he put in place regarding individuals still having the ability to challenge their own court cases in class actions. That's so true. That doesn't preclude them because we're going this way, and that's a very good point that you make there.

There were some good questions on education that came forward, making sure people understand what they're putting in their bodies. I think that's where the companies really lost a lot of credibility within the community and within the medical community in general terms. I think that's something that we can delve into a little bit more in third reading. I don't know if we'll get there today but, hopefully, we do. If you have any questions, I'll hopefully be able to answer those as best we can.

But this, on the overall, is putting us in a better legal position. I know there are lots of questions that you'll have on programs that we should be putting in place and stuff like that. That's not what this piece of legislation is. This piece of legislation is a legal opportunity for us to strengthen our case from a legal perspective, to get us to reap the most benefit out of this class action lawsuit, nationally.

Thank you very much, Mr. Speaker.

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

The motion is that Bill 86 now be read a second time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

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

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

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

**L. DEMPSTER:** Now.

**SPEAKER:** Now.

On motion, a bill, "An Act to Amend the Opioid Damages and Health Care Costs Recovery Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 86)

**SPEAKER:** The hon. the 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 86.

**SPEAKER:** And a seconder, please?

**L. DEMPSTER:** Seconded by the Minister of Justice and Public Safety.

**SPEAKER:** It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider Bill 86.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

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

### Committee of the Whole

**CHAIR (Gambin-Walsh):** Order, please!

We are now considering Bill 86, An Act to Amend the Opioid Damages and Health Care Costs Recovery Act.

A bill, "An Act to Amend the Opioid Damages and Health Care Costs Recovery Act."

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The hon. the Member for Bonavista.

**C. PARDY:** Thank you, Chair.

Any time you are, I would think, in a legal action that you're going to be seeking damages, you're going to have to quantify the impact, the damages of which the manufacturers are going to be held accountable for. Can you share with us the cost-benefit analysis or the costing of the opioid crisis to our province?

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

**B. DAVIS:** Thank you, Madam Chair.

Just so we're clear, there are three of us that will probably be jumping back and forth

to answer questions just in case, depending on where the go. I'll take a stab at this but I know Minister Hogan, the Attorney General, would also probably come at this.

My interpretation on this is based on the fact that we're part of the class action lawsuit led by the Province of British Columbia. We feed into that, we'll be working very close with that, but they would be the lead counsel. We will be working very closely with them to determine what parameters would be around how much the ask is, what things would be included and that.

In a subsequent follow-up question, I'm sure if the Attorney General wants to jump in a little bit with more clarity on that, that would be fine, too, or I can look to see what staff are coming back to me with so I can let you know as well.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** I think, Chair, there are a lot of unknowns in this world, but I don't think you can go into a class action lawsuit without knowing what the damages would be costing to the province. So I'm sure that if you are joining this national effort, we must have a number of which would be a costing Newfoundland and Labrador.

**CHAIR:** The Attorney General.

**J. HOGAN:** No. So when you enter and start any piece of litigation, yes, as a lawyer, I would recommend that the lawyer not take the file until there's an analysis done to at least recognize that there will be some sort of recovery. However, not to get too off topic here, a lot of individuals do want to take cases and recovery of dollars and cents is not necessarily what they want. Everyone is different. But in this case, of course, we are talking about the damages sustained by the province really to its financial situation as a result of having to deal with opioids in this province.

We will take some time to do an analysis on a province-by-province basis. We're joining a national court case here. Every province will have to look at its financial effects on hospital costs, physician and nurse costs, treatment costs, things like that. So it does have to be done on a national level as well, and once a national number is agreed on, of course there'll be negotiations that will take place. It is very unlikely you get the dollar you asked for in the first instance. And, who knows, this may even go all the way to trial and the judge might be the one who decides what the value of the damages are.

So all that to say once a final number is negotiated, if we get to that stage, the province will then get its per capita share of that.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** I thank the minister for answering that, but no answer.

I would assume that in order to get the national figure, you're going to have to know as to what Newfoundland and Labrador is contributing to that. Am I correct to assume that those that would predate us, which may be the other nine provinces, eight provinces, BC, after BC – we're obviously not the first one. We could be as high as the second one to join this, but I'm sure that there must be a running count of what other provinces' expenses they've had.

I'm assuming right now that there is no costing of what that damage would be in this province done. But are you aware of the other provinces, as to what the damages to those jurisdictions would be?

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

**B. DAVIS:** Thank you, Madam Chair.

The answer is ongoing as we speak. We weren't late to the party on this one; we've

been in almost from the beginning with British Columbia. The piece of legislation we're talking about now is based on legal counsel from them that went to all provinces to make the changes in appropriate legislation to make sure we have the ability to hold the right people accountable, with the biggest net, to ensure that we get the most money for the province of Newfoundland and Labrador. That's the premise by what we're here for today.

All that quantifying of what the cost would be, what would be the damages to this province – which is exactly what you're asking – is determined throughout that process.

There's no doubt the Department of Health is working on what that would be and that's going to feed into the process. But we're not at that point yet where that would be where we're going. We're aligning with what they're doing. They're in talks with the Purdues of the world and the other opioid manufacturers to delve into what we can unlock as the potential from a national standpoint.

That's not to say it's not going to get down into the weeds, and I can't speak for what the other provinces are because I haven't talked to them directly. I know my staff have talked to them directly and working with them very closely, but that's how this process works. The Attorney General has been involved in much more of this kind of stuff than I would ever have dreamed to be involved in, but that's how it starts. You're into the class action; you're working through that.

Here's what we need to do to align ourselves to make sure all of the federation is aligned in that. We'll go from that standpoint and then we'll start to look at what the damages were for this province. As the Attorney General said, there's probably going to be an ask that would come out in some amount of money and then something less than that is what

they're going to try and come back with. It may end up in court and the judge decide that, well, listen, you have to pay this much more to the provinces and the federation, led by BC. Then it would come to us from that perspective on a per capita basis.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** I'm a little perplexed by that. As you all know, I'm no lawyer but I would know that at any time you ever went to seek damages, you need to know what those damages are in order to go to court or for some tribunal to determine what your remuneration is going to be. So it seems a little off the charts to know that we don't know what the expenses are in this province. We're going to join this effort nationally and find out what comes of it.

If that is the case, what we've got here, then the hon. Member for Mount Pearl - Southlands who said that the next group in the elementary school, I would say we're preconception here if this is where this is going and we have no idea what the damages are.

Anyway, I'll move on from that.

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

**B. DAVIS:** Madam Chair, I don't think that's what we're saying. I think any time we're providing information in a negotiation period, you're suggesting that we don't have any idea what the costs of opioids have been to this province. I'm not saying that at all. We're just not prepared to tell it on the House of Assembly floor to go out while we're negotiating with Purdue and other manufacturers with high-priced big city lawyers that are going to try to come at us too.

So why would we try to give all that information to somebody. That's the negotiation process. What I'm saying is

we're aligning ourselves to be prepared to fight that case the strongest possible way we can.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** Too bad he didn't give that answer six minutes ago.

Will loss of life be a part of this national action, those who have lost their life as a result of opioids?

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

**B. DAVIS:** Thank you, Madam Chair.

The very quick answer will be no; this is purely about the costs associated with that. Class action lawsuits, from an individual standpoint that was highlighted by your colleague, would be how people would be able to go after that for the family that would be remaining, from those individuals which we are deeply sympathetic towards, but this is not the intent of this piece of legislation. This is to do that. I'm not suggesting that there's not some opportunity for them to avail of that through an individual class action lawsuit.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** I can read and understand that we don't have that figure and we want it bandied about, but you've got it, which is good. You've got it. I'm sure this you can share, because in order to extrapolate what it costs our province, we've got to know the data related to the number of individuals who are suffering or have suffered from opioid addiction.

Can you share that number in the House of Assembly without any dollar value attached? Give us the data that would be of those affected in Newfoundland and Labrador.

**CHAIR:** The hon. the Minister of Municipal and Provincial Affairs.

**J. HAGGIE:** Yes, it's a good question.

There are currently 3,000 people on the opioid dependency treatment program. Certainly, the costs for those individuals in terms of visits, billing for MCP and prescription charges, for example, can be aggregated quite easily. That's part of figures that are available to the negotiating team.

**CHAIR:** Further questions?

The hon. the Member for Bonavista.

**C. PARDY:** Can the minister outline how the changes in this bill will help people who are suffering or have suffered from opioid addictions? I know we're looking at a long-term bill, but am I to understand that, really, it will have no impact on those who are currently suffering opioid addiction?

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

**B. DAVIS:** Madam Chair, I'm not prepared to say it will have no impact on those individuals that are currently suffering or have suffered in the past. What I can say is that this is about the Health Care Costs Recovery Act to recover some of the damages the opioid epidemic has had in our community. I think your colleague from Placentia West - Bellevue highlighted clearly what impacts have been had in his community. It's not unlike what impacts have been in most of our communities that we all represent.

All of us have a story of someone that was accidentally shot and had been dealing with opioids because they were prescribed, whether correctly or incorrectly, but not understanding what kind of impact that would have on his life or her life going forward. So the changes that we're making here now are going to hold the opioid

suppliers and manufacturers to account for their actions or inactions during the past number of decades on this file.

It will make it better for those going forward from an education standpoint because it will have to. In addition to that, there's going to be a one-time allotment of money that would come into this province sometime in the future, based on these negotiations.

This piece of legislation is an important one based on making those changes – all of those amendments that we're making to this or additions to – about defining what a consultant is and who that is in relation to what we're looking for from this perspective and what ingredients are going to be classified under this – is important.

Amending the formula and the calculations for active ingredients and the calculations of market share – that's important for what we need to do here today in order to ensure that tomorrow we get the biggest value for the residents that we all in this House want to represent the best way we can.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** So you referenced the gentleman from Bonavista who 40-plus years ago suffered a gunshot wound and 11 to 12 years ago was put on oxycontin. Nobody has approached him in 10 to 11 years. How will we get that gentleman's story as to how it disrupted his life since that addiction? Is it the health care system that's going to report?

If nobody spoke to him, how do we determine the extent of the damages that we would have out there? We know it is individually accounted for –

**CHAIR:** The hon. the Minister of Municipal and Provincial Affairs.

**J. HAGGIE:** A couple of things in response to that, in no particular order. This bill is

about recovering health care costs in aggregate across the province. Things like I mentioned earlier on in terms of prescription monitoring program, cost of opioids, costs of visits, MCP billing under certain codes: those are fairly easy to quantify.

One of the key things with someone who is having challenges with opioid use is firstly wanting to seek help. We have had debates about the role of involuntary treatment, but unless someone is in a situation where they actually want to do that, then that's the first hurdle. Should they wish to do that, then there are a variety of avenues open to them.

If they have a primary care provider, they can go through them. If not, there is Doorways. You can literally walk in, same-day counselling, and that is a portal into the health care system. You can be sent on from there to whatever services the counsellor at the initial intake at Doorways consultation feels is appropriate. There is also open access at the mental health and addictions clinics, which are open to the public.

So those are options that exist, should one be in that position. I trust that addresses some of the questions.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** The minister had stated that we weren't the last ones to the show; BC in 2019. Can you give us where we were or where we are in relation to that? Aren't we second?

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

**B. DAVIS:** Thank you, Madam Chair.

I don't know if we're second or if we're sixth or seventh. I don't know if it actually matters whether we're first or second or third into the class action suit. We're all treated

equally across the country based on our population.

We're into this now with BC. BC is the front on it for all provinces and territories. Everybody that's in – which I think everybody is in – is going to be pushed at the same level. It's like a rising tide lifts all boats. This is exactly what we're into here. This is a situation where we're into it, and I won't say we're on the ground floor because that's probably BC, but we're pretty close in between the first and second floor here on where we're going to get for this.

All of us are going to get treated exactly the same based on the results coming out of this, based on population.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** Just for clarification – and I know this may not be overly significant – will BC as a province get any administrative cost out of this? We know how lawyers work sometimes. A lot of people talk – is there an administrative cost that they will be getting from the settlement?

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

**B. DAVIS:** Yeah, there are definitely going to be legal fees that would be involved. The reason why I think we're doing this as a class action suit is because it's cheaper for us to do it as a collective than it would be for us to do it individually, have a lawyer in this province and a lawyer in Nova Scotia, New Brunswick, PEI, all going across the country doing the exact same suit.

There are people involved in our department that – as my many colleagues have said before, we have the big, high-priced lawyers that are going to be doing the good work for BC, but they're doing it for the entire country. They will reap that benefit, just like every lawyer does that we all know.

It's billable hours or percentage based. That will be the same way it is for this class action suit, just like it was for the class action suits that some colleagues in this House of Assembly used to lead many years ago – or previous House of Assembly Members.

**CHAIR:** The hon. the Member for Bonavista.

**C. PARDY:** That's good, Chair.

**CHAIR:** No further questions?

The hon. the Member for Placentia West - Bellevue.

**J. DWYER:** I'm just looking at the supporting addictions side. How will this legislation help support the individuals that are struggling right now, not necessarily from a financial standpoint, but from a community support standpoint? Are those programs in place now or is that something that we're going to implement?

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

**B. DAVIS:** Thank you, Madam Chair.

That's a very good question. Obviously, we do significant work in this area now. There is always room for improvement. We don't sit in this House saying it's perfect, because we know it's far from perfect in communities. One person struggling with an opioid or any addiction is one too many. We want to be able to try to fix that.

This piece of legislation is not directly related to fixing that issue. One of the positives, as I mentioned before to your colleague from Bonavista, was there's going to be an education change based on this right across the country. The Purdues of the world or the opioid manufacturers of the world are going to have to be a bit better on labelling their products, making sure they market it in the right way, telling people and

doctors what the impacts are of those particular drugs. Well before we'll ever see any money, that's going to make changes to the system and make it better for those individuals.

From a financial standpoint for individuals, I think you highlighted that very eloquently in your statement earlier, that they still have an ability to go as a class action lawsuit individually. This is not something that we can weigh into – this is about recovering and giving us the ability to recover, hopefully all, but a portion of the costs associated with opioids on our communities and our families.

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

**J. DWYER:** Are there plans to recover funds for expanding access to treatment centres or community health programs?

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

**B. DAVIS:** Thank you, Madam Chair.

I expect that the lawyers at the table are going to try to get as much money as humanly possible, throwing everything in that can stick at a wall, like every lawyer does. I can say that because I'm not a lawyer, as the Minister of Justice, but there's no doubt they're going to try to get as much as they possibly can to put in as damages for this. That could involve education for future people in this province about the struggles with opioids.

But I can't presuppose that's what is going to happen in the legislation. This legislation doesn't deal with that directly. It just gives us the ability to go after the people who are responsible for why your community and my community and other communities have had so much struggle with this. This giving us that ability will help, hopefully, fix the problem on a go-forward basis, but I don't

know if it's going to ever fix the families that have been broken by addictions.

This is not meant – and nor would I ever think we could ever get a dollar figure that would ever fix the families that have been impacted by opioids and the addictions around this province. I don't think any of us in this House of Assembly would ever think that we could ever get a number that would satisfy anyone, because one loss of life is worth immeasurable amount more than we could ever get.

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

**J. DWYER:** With this being legislated in 2019, over the last number of years, who's been consulted from the Newfoundland and Labrador perspective for bringing our best cause forward? In saying that, I'm hoping it's not just lawyers, it was doctors and pharmacists and everybody that's part of the system that understand the addiction side.

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

**B. DAVIS:** Thank you, Madam Chair.

We've been consulting with many, many different departments that would be involved in this. Jurisdictionally, we've been working with our provincial and territorial counterparts, very closely on this file. It is not just the lawyers in the Department of Justice that's been working on this, but it's Health and Community Services. It would be Finance that would be part of this as well. Just because we've got to know the dollars and cents that it costs to us, as a province, to have to deal with this crisis that we're facing with opioids, globally.

From our little piece in this province, Newfoundland and Labrador, we want to make sure we consult a variety of different departments and individuals that would be

involved in that. Key stakeholders would be consulted as well.

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

**J. DWYER:** Thank you, Madam Chair.

We're doing some housekeeping here about changing some definitions and stuff like that. Are the pharmacists and doctors of the province going to be considered a consultant or an agent in this process, because I don't want to open up, I guess, liability towards them for doing their job within our province.

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

**B. DAVIS:** I'm going to say a very short answer: No.

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

**J. DWYER:** The last thing I'll question you about is, while we know that the addiction to the individual is hard to overcome or anything like that, a lot of times it's the family that's dealing with it as well. So is there an impetus to make sure that the families have an opportunity to recover costs plus have their own individual programming, where they're not in a program with, let's say, the addict, so they get to understand it without repercussions or anything like that?

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

**B. DAVIS:** Thank you, Madam Chair.

I just want to clarify my statement saying no the last time. I want to make that a little bit broader than just no. I don't want to say no doctor from Newfoundland and Labrador will ever be considered a consultant. What I do want to say is they could be working for

Purdue as a consultant in that, not in their role as a physician in this province.

**J. DWYER:** I meant (inaudible.)

**B. DAVIS:** I think you did, but I just want to clarify because you never know when someone could use those words against you. That's not the intention.

The individual question you asked earlier about, this piece of legislation wouldn't deal directly with the individual or their families in that way. Those costs that would be borne, as Minister of Municipal and Provincial Affairs had said, looking at things like pharmaceutical costs, consultation costs, dealing with the doctors and the pharmacists and nurses and nurse practitioners that would all be billed in a system to handle someone that's been dealing with opioid challenges. That's what we're looking at here, but as you mentioned earlier in your previous statement, individuals have an ability to go in a class action suit as well. I think there is one that's currently on the go from opioids as well. So there is one to join. I can't speak to whether it's closed or not, but I know that there has been one.

**J. DWYER:** My last question is –

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

**J. DWYER:** Thank you very much, Madam Chair.

I apologize, I was trying to get the question in quick.

We mentioned about clause 7 and 8 with the formula changes. Are you able to provide to the House what the formula entails?

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

**B. DAVIS:** I don't have it here with me. I can provide it to the Member; if it's not going to impact the case whatsoever, I will do that. I don't think it will, I just don't want to say yes to you without any qualification on that. So I will check with staff. If I can do that and provide it to the House, I will provide it to the House. I don't anticipate a problem, but I don't want to impact any case, nor would anyone want to. But at the soonest possible time it can be provided, it will be.

**J. DWYER:** Thank you, Madam Chair.

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

**J. DINN:** Thank you, Chair.

I listened to the back and forth with the questions and answers. The bill is about recovering health care costs, and I think the Minister of Municipal and Provincial Affairs referenced 3,000 people in an opioid dependency program. So I'm assuming that includes everything, the methadone and even naloxone kits.

But I'm just curious here, and it's going to go further than that, with regard to – I think the Minister of Justice does talk about the nurse practitioners and the people involved in treating this. But I would assume, too, that even in the justice system, you could probably trace the costs that are attributable to the opioids and so on and so forth, whether it's in enforcement or in prosecution and so on and so forth, even within the prison system in terms of costs associated with it.

So I realize this one is basically to do with health care recovery costs, but has there been any consideration then with regard to cost to the other, I guess, services or other aspects of government that would have been impacted by this? I think the minister did say, this way it's probably easier and tighter to refer to the cost associated with the health care, but I'm just wondering if any

consideration was given to putting those costs into it as well?

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

**B. DAVIS:** Thank you, Madam Chair.

I guess the short answer will be no court costs. This is based on a class action suit that was started with respect to health care costs. So we're into the health care costs based on other provincial and territorial members, so we're in with that. That's not to say that something wouldn't come in the future for that potential, something like that. I don't know that to be the case, so I don't want to be a precursor of that.

But I do want to say that it is all health care and it is detailed in the bill, I think, what is prescribed. I just can't find it right now, but as soon as I do, I'll let you know.

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

**J. DINN:** I think the minister wanted to response.

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

**J. HOGAN:** If you do look at the bill, it does define what the cost of health care benefits is. The present value of the total expenditures by the government for health care benefits provided, some more there, and then the present value of estimated total expenditures by the government for health care benefits.

You had to go back and look at the original act to get the definition of what health care benefits are and that is insured services as defined under the *Hospital Insurance Regulations*; insured services as defined under the *Medical Care and Hospital Insurance Act*; and benefit as defined under the *Pharmaceutical Services Act*.

So those are, under those definitions between the two pieces of legislation, the original act and the amendments, would be what is determined and deemed to be the cost of health care benefits.

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

**J. DINN:** I'm assuming then, I'm not sure if that encompasses costs to the judicial system and so on and so forth, but that sounds like it's a lot more comprehensive.

But I'm curious then, Chair, that the minister, in discussions with his counterparts, when they're talking about cost to the health care system, are we talking the same thing, or are they including costs that maybe we're not, or is there sort of a consensus on what is covered by that?

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

**B. DAVIS:** Yes, there is a consensus on what will be commonality across all jurisdictions. That's why we're doing it in the way of a legislation piece in each jurisdiction, that it mirrors what they can do. Because if you've got people from Purdue and other manufacturers, if you've got them looking at them trying to segment provinces away from this, you want to be fully aligned so that we have our best chance of doing that so all the costs would be fully aligned. Albeit, they would be more in BC than they would be in Newfoundland and Labrador, but in per capita, that's why we would look per capita, from our standpoint.

That's the information I'm working on. If there's any change, I'll give you some more update.

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

**J. DINN:** I'm assuming then, Chair, that when it comes to the disruption or the destruction of individualized family and so

on and so forth, that this legislation is not going to capture that on an individual basis for the people, let's say, who may have gotten hooked on opioids, whether it is a physical or mental injury. That's part A of it. Part B would be, then, if it's not, in sort of setting a precedent, does this allow families to, through a class-action suit, address this? I'm just curious as to what does it mean for the individual families themselves.

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

**J. HOGAN:** Thank you.

Sorry, I should have continued on, because we're adding the definition when I referred to the original act, and I think this is what the Member was asking, that now we also include, under health care benefits, which is expanding the definition in 1(3)(D) of this bill, it will not only include what I said, *Medical Care and Hospital Insurance Act*, insured services and insured services under the *Hospital Insurance Regulations* and the *Pharmaceutical Services Act*. It will now include, "other expenditures by the government, made directly or through one or more agents or other intermediate bodies, for programs, services, benefits or similar matters associated with disease, injury or illness ...."

So that would, reading that, include, not only just the direct costs for, say, an MCP coverage for an issue that we're talking about here in the act, but things like programs and services that had to be paid for to address individuals who are suffering with opioid addiction.

So those are, I guess I would define them as, a hard cost; you can do that math out. Of course, there will be an analysis on that and I'm sure there will be some push back from the defendants on those costs and whether their overlapping with other health care services that are provided to those individuals as well.

But to your question then, that will not necessarily cover an individual's personal loss. It is cost incurred by the government. A personal loss or damage sustained by an individual would be still available to them to pursue. It's two separate parts of damages.

So if someone has a personal injury, like you said, a mental injury or a physical damage of an injury, that person has sustained a loss, say it's \$100,000 in the eyes of the court for general damages. So general damages can be what's called pain and suffering and courts look at that.

Just a simple example because most of the time when we're dealing with this in courts, it is car accidents. People have a bad neck; they might get \$50,000 for pain and suffering. You can't really put a mathematical calculation on that, but the courts have, over time, used case law to say, your case is something like this individual, I'm going to say it is \$100,000 for pain and suffering. Again, not a mathematical calculation.

Government will not be recovering that pain and suffering through this act, but the individual can still do that.

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

**J. DINN:** That's what I understand, so would this legislation make it easier for them to pursue, or even as a class action, for that matter? I understand an individual could take that on, but that's a significant risk and gamble in many ways, wherewithal, but would there be a possible class action then that could follow on the heels of this? In other words, this has paved the way for it and made it easier to address that.

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

**J. HOGAN:** I don't know if I'd characterize this as making it easier for individuals to

make a claim on their own behalf for damages that they've suffered.

One of the purposes of class action is to take away some of that risk. Whereas, if I was someone who sustained personal damage in my life for opioids, it could be very expensive, time consuming and difficult for me, as an individual, to retain a lawyer to bring a court action in Newfoundland and Labrador against large pharmaceutical corporations.

Class action would then allow, you know, numerous individuals to come together really to pool resources, I guess is the way to look at it, to then get the damages that they're entitled through that process.

No, this act is not for that. I would say this act is making a position by government that the government has incurred costs as a result of the opioid crisis.

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

**J. DINN:** Thank you, Chair.

That's where I was going with it, whether we use the word embolden or anything else, but it could very well say it's class action by citizens to address the personal damage, because this is not going to address personal damage that people have experienced. This may cost government.

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

**B. DAVIS:** As the Attorney General said, there is a class action for individuals currently, but this is definitely not going to hurt that. It may not augment it, but it's definitely not going to hurt it, from that perspective. Individuals can rest assured that's not going to be an issue that would come out of this.

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

**J. DINN:** As I understand it with regard to this, from previous questions and answers, the government has done sort of a cost-benefit analysis of this and I understand totally why you wouldn't want to reveal those figures in this case, tipping your hand.

I'm assuming, then, that obviously the benefits far outweigh the costs. So the question, I guess, I'm looking at here as well is, first of all, what are the chances – and I know I'm asking the minister to gaze into a crystal ball here – of success? I'm assuming that the government wouldn't be just rolling the dice here and hoping for the best, but there's a reasonable expectation of success here. Would that be fair?

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

**B. DAVIS:** Thank you, Chair.

There's no upfront cost for us, so that limits the risk – just similar to what a class action suit would be for an individual, there's no upfront cost to us. There would be a portion of whatever we would get that would go towards the payment for the legal services, but the expenses that would come out would be recovered anyway from those individuals that are doing that.

It's a very good point you make: Is the juice worth the squeeze? In this case, it definitely is.

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

**J. DINN:** If the class action suit is lost, what could be the potential cost to government in that case, if damages are awarded, I guess, to government – I don't know if that would happen in this situation.

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

**B. DAVIS:** I don't think there's any risk to the government proceeding with this

anyway. We're going down this road. It's hard to determine the success rate. We're fairly confident, but it's hard to estimate if we were to lose, what would be the cost. I don't anticipate we're going to lose but, you know, it's a valid question.

It's just like insurance, I guess. It's the cost of the claim shared amongst the many, right? That's what we're doing with the class action suit here. Any cost that would come, if we were to lose, would be shared amongst all jurisdictions based on a per capita basis, but we don't anticipate that we would lose.

The hon. Member for Bay of Islands very clearly said that he thinks we're going to win, and I would put money on that case as well.

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

**J. DINN:** Thank you, Chair.

I would assume that they're hoping for the best but having a contingency plan, so there must be some idea. Would that be part of the calculations as to if we lose the suit, what is the cost then to government? Even on a per capita basis, what that would be.

Because I would assume, Chair, that this is not going to be over and done with in a week. If I know anything about large companies, they're going to fight it significantly.

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

**B. DAVIS:** It's too hard to determine that right now for your question. We're fairly confident that we will be in a good position with the opioid suppliers. They're going to want a deal. Now, whether we'll agree on that number or the judge has to interfere with that, I'm sure there will be some offer from them that would more than cover the expenses that we would have had to incur.

I don't know if we'd ever accept that offer, but there would be a significant legal back and forth on these things just to find a settlement that could be agreeable to the federation.

**CHAIR:** The Deputy Government House Leader.

**L. DEMPSTER:** Thank you, Chair.

I move that the Committee rise and report progress on Bill 86 and ask leave to sit again.

**CHAIR:** The motion is that the Committee rise, report progress and ask leave to sit again.

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 (Trimper):** Order, please!

The Deputy Speaker and Chair of the Committee of the Whole.

**S. GAMBIN-WALSH:** Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report progress and ask leave to sit again.

**SPEAKER:** The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed her to report progress and ask leave to sit again.

When shall the report be received?

**L. DEMPSTER:** Now.

**SPEAKER:** Now.

When shall the Committee have leave to sit again?

**L. DEMPSTER:** Tomorrow.

**SPEAKER:** Tomorrow.

On motion, report received and adopted. Committee ordered to sit again on tomorrow.

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

**L. DEMPSTER:** Thank you, Speaker.

I move, seconded by the Government House Leader, 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 1330 hours.

Thank you.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30.