



Province of Newfoundland and Labrador

FIFTIETH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND AND LABRADOR

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Volume L

SECOND SESSION

Number 93

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HANSARD

*Speaker: Honourable Derek Bennett, MHA*

Thursday

November 21, 2024

The House met at 1:30 p.m.

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

Admit strangers.

Before we begin, in the Speaker's gallery today, I'd like to welcome Katarina Roxon and her father here this afternoon.

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

**SPEAKER:** Katarina is the subject of a Member's statement this afternoon.

Also, watching live from her residence in Clarke's Beach, hello to Hersilia Moores, who will be the subject of a Member's statement this afternoon. She's also joined here in our gallery today by her son Lorne and his wife Ann.

Welcome.

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

**SPEAKER:** Members are also advised that the Confederation 75 Teachers Institute on Parliamentary Democracy, an inaugural professional development and learning opportunity for educators to focus on democracy, governance and citizenship, will take place this Monday and Tuesday, November 25 and 26. The sessions for the events, which will bring together 25 educators from across Newfoundland and Labrador, will be held in the current Chamber and also the Colonial Building Provincial Historic Site.

The Teachers Institute provides a unique opportunity for teachers to experience first-hand the inner workings of Parliament and the broader structure of government, gain insight into the role of elected officials and exchange best practices with peers in the focal points of democracy in our province.

Participating educators return to the classrooms with a renewed energy to share the knowledge gained with students and

colleagues, helping to increase engagement with Parliament for people in areas who cannot readily visit the Legislature in person, and also gain increased awareness respecting concepts of democracy, governance and citizenship.

The House of Assembly is very pleased to partner with the Departments of Education and Tourism, Culture, Arts and Recreation in hosting this event for our province.

Any Members that are around on Monday or Tuesday next week, you're welcome to drop by and sit in the gallery to listen to some of the happenings of the Teachers Institute.

### Statements by Members

**SPEAKER:** Today, we'll hear statements by the hon. Members for the Districts of Conception Bay South, Fogo Island - Cape Freels, Humber - Bay of Islands, Harbour Main and Stephenville - Port au Port.

The hon. the Member for Conception Bay South.

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

On Friday, November 15, I had the privilege to present the Confederation 75th medals to 17, well-deserving individuals in the District of Conception Bay South.

These individuals have spent many years devoting their time and playing a vital role in shaping our community. The District of Conception Bay South Confederation 75th award recipients are: Laura Butler, Evan Burse, Fay Dawe, Matthew Drover, Woodrow French, Stephanie Gavell, Vicki Greenslade, Eric Hart, Dennis Morgan, Karen Morris, Jim O'Toole, Norman Simpson, Rick Stanley, Dave Strickland, Charles Taylor, Norine Taylor and Peter Wells.

These recipients have worn many hats, whether volunteering with organizations such as Special Olympics, Girl Guides,

Scouts, firefighters, food bank or coaching children, to name a few. Others are veterans who have served our country, first responders, contributors to our tourism and arts community, and advocates for the environment.

Often volunteers are behind the scenes and unrecognized for their tireless efforts. These individuals are, and have been, essential to the everyday success of making Conception Bay South a beautiful place to live. I might add, I refer to them all as the unsung heroes.

I would like to extend my sincere congratulations to the recipients of these prestigious awards and a heartfelt thank you for your contributions.

Thank you.

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

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

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

I rise in this hon. House to recognize Cran-Pac Foods Ltd., a very successful business, located in the entrepreneurial-spirited Town of Centreville-Wareham-Trinity. This seasonal business operates from August to December, each year, during the blueberry, partridgeberry and cranberry seasons.

This plant began operation in the early 1970s, then known as Indian Bay Frozen Foods. It has since exchanged hands several times, but under Cran-Pac the operation has grown exponentially with its newest owners being farmers. Of these seven farms, five are located around Bishop's Fall and Grand Falls-Windsor, while the two other farms are located around Stephenville.

In 2019, cranberry farmers harvested approximately 700,000 to 800,000 pounds and in 2020 production was at 1,200,000

pounds. This year, 2024, they will harvest about 3,000,000 pounds of berries. Remarkable success like this doesn't just happen, but through hard work and dedication from the workers in the fields. Today, this operation employs 20 employees – a success story for our province. This venture has created much-needed work for the local people of CWT/Indian Bay region and beyond.

I send out congratulations to Cran-Pac Foods on their success and wish them continued growth in the future.

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

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

**E. JOYCE:** Kindness is compassion and love in perfect harmony and Drs. Genille and Justin French have spread this love and compassion in Uganda.

When Genille and Justin were asked to make a donation to build a health care facility in a village 30 kilometres away from electricity, their response changed lives.

It's Nice To Be Nice! foundation was registered and with in-kind donations there was \$750,000 raised for charity work.

The Genille and Justin French Kawaaga Health Care Centre was built with an outpatient department; maternity ward, as many mothers and babies have passed away trying to get to a hospital; an in-patient ward for men, women and boys with two doctors and four staff.

The facility was constructed with solar lighting, backup generator and a safe, fresh water supply for the centre and for the 40,000 residents of the village and a local school.

The foundation, with many local donations, distributed over 10,000 pairs of shoes,

funded numerous jigger clinics and provided the equivalent to 700,000 meals and provides funds to schools to grow food to subsidize students who cannot afford school fees.

I ask all Members to join me in thanking Genille and Justin French who are changing lives and giving hope and love to the less fortunate.

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

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

**H. CONWAY OTTENHEIMER:** I am honoured to stand in this House of Assembly to recognize the oldest person in Newfoundland and Labrador, Hersilia Moores, who will be celebrating her 109th birthday tomorrow.

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

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

**H. CONWAY OTTENHEIMER:** No, she's not here. She's watching from her residence.

She was the youngest of six children of William and Mary Jane Barrett. Her father was a wireless operator for the Marconi Company. In 1922, he was stationed in Point Amour, Labrador.

As a young woman, working for the Grenfell Association at the St. Anthony Hospital as a nurse's aid, she met her husband, Murray Moores, who was an educator from Notre Dame Bay. They had two sons and, in 1949, Murray accepted a principal's position at the local school in Brigus, which was her home for over 50 years until moving to Callingwood Downs in Clarke's Beach where she resides today.

Mrs. Moores's positive attitude and her kindness have held her in good stead all her life, like with her love of knitting. She has

made thousands of finger puppets which she has donated to the Janeway hospital.

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

**H. CONWAY OTTENHEIMER:** She laughs and says she has knitted so many over the years she has given herself tendonitis.

Getting to know this beautiful, smart and witty lady over last few years as an MHA has been an incredible privilege.

Please join me in wishing Hersilia Moores a beautiful 109th birthday.

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

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

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

Katarina Roxon is one of our most decorated athletes on the world stage. She is the first Canadian swimmer to compete at five Paralympic Games.

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

**T. WAKEHAM:** And was the flag bearer for Canada with Patrick Anderson at the 2024 Paris Games.

Katarina has compiled a long list of accomplishments, achievements and honours since she first represented Canada and Newfoundland and Labrador in Beijing in 2008. Throughout her swimming career, she is a Paralympic gold and bronze medallist, a six-time world medallist, winning two silver and four bronze medals, and a gold medallist in the Parapan American Games. This to go with numerous medals at national competitions.

Katarina was included in the 2016 Most Influential Women list by the Canadian Association for the Advancement of Woman and Sport and Physical Activity.

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

**T. WAKEHAM:** A member of the Order of Newfoundland and Labrador, Route 490 is named Katarina Roxon way, in recognition of her athletic achievements around the world. She is a proud ambassador for our province wherever she is in the world. Her pride and admiration of this province is evident in any interview she conducts.

I ask all Members to join with me in congratulating Katarina on her accomplishments and best wishes in whatever the future holds.

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

**SPEAKER:** Statements by Ministers.

**Statements by Ministers**

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

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

We are witnessing the growing impacts of climate change. Flooding, storm surges and forest fires are increasing in frequency and intensity here at home and around the world. It is essential that all governments, industries, businesses and residents work to reduce their emissions and adapt to our changing environment.

I am pleased to say that the province has implemented all 45 recommendations in the 2019-2024 Climate Change Action Plan, with the development of two climate change action plans under way for the 2025-2030 timeline.

Our Climate Change Mitigation Plan will focus on reducing greenhouse gas emissions to meet our reduction targets while setting out a framework to achieve net zero emissions by 2050.

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

**L. DEMPSTER:** The Climate Change Adaptation Plan will focus on actions to adapt to the impacts of climate change. This plan will be the first stand-alone climate change adaptation plan for the province.

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

**L. DEMPSTER:** There are signs that we are moving in the right direction. Newfoundland and Labrador's climate change initiatives have resulted in the lowest greenhouse gas emission levels since 1996; 8.6-million tons in 2022. This is a significant drop under the 10.1-million-ton average of the past 10 years.

We all share a responsibility to tackle the impacts of climate change and protect our environment. While the work ahead is challenging, I am encouraged to see the progress we are making towards transitioning to a lower carbon economy.

Thank you.

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

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

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

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

It's clear that our province is experiencing serious impacts of climate change. From more frequent floods, intense storm surges, increasing threat of wildfires, new phrases and words like bomb cyclones are becoming common.

These impacts are felt deeply in our communities, particularly in Labrador where the impacts of climate change have become constant, impacting every aspect of our lives and livelihood from travel, transportation, hunting and fishing to overall quality of life.

The 45 recommendations from the 2019 to 2024 Climate Change Action Plan, as well as the new plans for 2025 to 2030, are positive steps forward. However, as we strive for net-zero emissions by 2050, we must continue collaborating with all key stakeholders, including industrial leaders and the people of rural Newfoundland and Labrador who have invaluable, traditional knowledge and deep connection to the land and sea. They recognize the changes and impacts. Their voices must remain central in the development of climate strategies, Speaker.

While progress is being made, there is still much to do. Let us work together, ensuring no one is left behind in the transition to a sustainable and resilient future.

Thank you, Speaker.

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

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

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

I thank the minister for an advance copy of his statement. I fear what government has done thus far to protect us from climate change has been inadequate. Rather than doubling down on a just transition, taking advantage of new industries, ensuring that our workers in our communities were the primary beneficiaries, government continues to take a bare minimum approach to dealing with climate change and mitigation, leaving residents to bear the consequences of climate change.

We call upon government to take a stronger approach on climate change and mitigation measures for Newfoundland and Labrador.

**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.

Prominent St. John's lawyer Lynn Moore has spoken out about the continuing failure of the child welfare system to protect children. Ms. Moore states the system is continuing to fail our most vulnerable, our children.

Speaker, I ask the Minister of CSSD: What is your department going to do to protect children in care right now?

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

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

I'm happy to stand up and address the question that the hon. Member mentioned. We, on this side, just like I'm sure everyone on the other side, are very committed to ensuring the safety of our young people in care.

I know that from our standpoint, we're going to continue to do progressive legislation with respect to that. We are going to continue to move forward on things that we need to be doing to ensure that young people within our trust are safe and that's what we're going to continue to do on this side of the House.

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

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

**T. WAKEHAM:** Speaker, I respect the minister for his answer, but I'd like the Minister of CSSD to talk about exactly what his department is doing to protect children in care right now?

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

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

**P. PIKE:** Mr. Speaker, we do protect our children in care. As a matter of fact, the children we have in care is something that we care deeply about. Our government is committed to the safety of these children.

Mr. Speaker, any issues related to children in care are handled by our department immediately. We have group homes, if we can't find foster homes and places of care, we go into group homes which are heavily regulated, monitored and, Mr. Speaker, as well licensed.

Thank you.

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

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

**T. WAKEHAM:** Speaker, Ms. Moore went on to say that this is not an issue dating back to the 70s, 80s or 90s. This is an issue now. Ms. Moore has stated her office received calls this week from families with children in care who were sexually assaulted recently.

Speaker, I ask the minister: Why are you not taking immediate steps to protect our children?

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

**P. PIKE:** Mr. Speaker, we are committed to the safety and well-being of all children in care and we do take steps immediately. With our legislation, we intervene with families when a parent is not being protective. We make every effort to support the child and the family by putting in place a safety plan and supportive services for these children. It's our hope, Mr. Speaker, that we can keep the child in the family.

We only take children into care if they cannot be protected and they're living in a home that's not safe, then we take children into care. But our first response would be to keep the child with the family, or with a member of the family that's able to take care of the child.

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

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

**T. WAKEHAM:** Speaker, I want to clarify for the minister that these children were children in care. They were children in care under his department. That's what I'm talking about.

Speaker, our office is in receipt of a complaint that was sent to the Minister of CSSD back in August with particular concerns about a St. John's group home. Less than an hour later, the minister's office wrote back and told the person complaining to call the group home operator.

Speaker, I ask the minister: Is this an appropriate review and investigation?

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

**P. PIKE:** Mr. Speaker, in August of this year, we did receive an email from an adult in an area where there was a group home set-up. The email itself had nothing to do with the safety of the children in our care in that neighbourhood.

The email clearly stated that the concern was that the individual that wrote the email did not want a group home in their neighbourhood. It had nothing to do with the safety of that child.

Mr. Speaker, these are children that have gone through traumatic events in their lives; these are children that have complex needs. They need a place; they need an

environment where they can grow and develop like all other children.

I can produce that email and my response, Mr. Speaker. I can table it here today because I have it with me.

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

**SPEAKER:** The minister's time has expired.

The hon. the Leader of the Official Opposition.

**T. WAKEHAM:** Speaker, what is shameful here is the response from the minister's office to any email the minister receives, and this was about security and operation.

So the fact that the minister wrote back in 55 minutes and said – quote – Minister Pike recommends that you follow up with them directly regarding your concerns. I don't believe that's an appropriate response.

I ask the minister does he think that's an appropriate response?

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

**P. PIKE:** Mr. Speaker, the email had nothing to do with the safety of children in our care. The email clearly stated that the person was concerned about having a group home in their neighbourhood. That's so important.

I think it's ridiculous, Mr. Speaker, today, for the Leader of the Opposition to make political fodder out of the children of this province, I think it's terrible, Mr. Speaker.

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

**P. PIKE:** It's shameful. I hear shame over there all the time. This is what I call shameful, Mr. Speaker, that he would do that.

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

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

**T. WAKEHAM:** I think it's shameful that the minister dismisses any email he receives, any concern he receives around group homes and simply wants to turn around say I'm not going to look at it.

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

**SPEAKER:** Order, please!

**T. WAKEHAM:** That's what he did.

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

**SPEAKER:** Order, please!

**T. WAKEHAM:** Let me ask the minister another question. Does the minister believe that the 100 social work vacancies in his department is contributing to the children in our care?

**SPEAKER:** The hon. the Minister of Labrador Affairs.

**L. DEMPSTER:** Speaker, I'm disappointed to hear the dialogue that's happening across the floor here today, because the safety and protection of children in care is a number one priority for this government. That is why we brought in a new *Children, Youth and Families Act*.

There are children in care all across this province, every province and territory. In this province, half that we know are never going home; it is very sad. We put measures in place, Speaker. We work with Indigenous groups in particular. We consulted, consulted, consulted. We wanted them to have input. We wanted them to see themselves in the act, Speaker.

We have partnered with communities across this province so that if social workers – as my colleague said very well a number of times, the last resort is to move a child. We work with families when we have to. We

work with social workers, partners in community governments to see if we can place them with grammy or (inaudible) –

**SPEAKER:** Order, please!

The minister's time has expired.

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

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

**T. WAKEHAM:** Speaker, we thank the minister for her answer, but I would like to understand. Are the 100 vacancies in the Department of CSSD contributing to the lack of care for children that are actually in our care?

**SPEAKER:** The hon. the Minister of Labrador Affairs.

**L. DEMPSTER:** I wasn't quite finished so I will go again, Speaker.

I also want to say that in some of the rural areas, in hard-to-fill positions, we also did a number of things, like approving fly-in and fly-out rotational work – first time it was ever done – to ensure that we have social workers, in particular, in rural, remote and isolated communities.

Every time the Child and Youth Advocate came out with recommendations, what do we do? We embrace them wholeheartedly. Because if it means we're going to get the children safe and to a better place in this province, we want to do that, Mr. Speaker.

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

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

**T. WAKEHAM:** Speaker, we still have no answer as to whether there are 100 vacancies or if there are actually more than 100 vacancies. We'll continue to ask.

Let's talk about the recent increases to the Seniors' Benefit. The Seniors' Advocate notes, seniors are still falling behind. The Seniors' Benefit has increased by 15 per cent but the cost of living has gone up by 22 per cent, which means seniors are 7 per cent behind.

So I ask: Will the Liberal government immediately raise the Seniors' Benefit and then index it to inflation?

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

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

**S. COADY:** Thank you very much, Speaker.

This is a very important topic and I am glad to speak to it today. I was glad to read the recommendations and the status of recommendations. I'll note that out of 25 recommendations of the report, *Long May Your Big Jib Draw*, that 24 – 24 – have been actioned. Twenty-four, Speaker. Of *What Golden Years?*, which is a recent report, 12 recommendations, 8 have been actioned.

Speaker, we are making progress. We are working very, very hard. As the Member opposite knows, we did raise, by 15 per cent, the Seniors' Benefit. It benefits 50,000 seniors in the province and this year in budget – I know the Member opposite did not support it, but we put another \$10 million for seniors.

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

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

**T. WAKEHAM:** We still have a gap of 7 per cent.

The Seniors' Advocate also said that seniors are literally cutting pills in half and cannot afford food. One of her recommendations is to ensure that food banks can provide food delivery in circumstances they assess, as necessary.

Again, I ask: Why has the Minister of CSSD failed to implement this recommendation?

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

**S. COADY:** Speaker, while the Member opposite is speaking about affordability, I do want to talk about affordability today. Because as everybody in this House knows and the people of the province know, we put in over \$500 million in affordability measures. We note that the federal government in the last hour has said that they are going to put in a special measure for the next two months on HST. They're going to actually lower the HST for the next two months on a number of items.

The Premier is in Ottawa this week speaking to them, to the ministers on affordability, and I'm here to tell the people of the province today that we'll be matching the federal government.

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

**S. COADY:** As the Speaker knows, HST features the federal-provincial harmonized tax and can only be changed by the federal government, but we will be matching it.

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

**SPEAKER:** The minister's time is expired.

The hon. the Leader of the Official Opposition.

**T. WAKEHAM:** Speaker, I'm glad to hear that they're finally listening to seniors and listening to the people on this side of the House –

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

**T. WAKEHAM:** – to finally implement something. That's always a good day.

Speaker, the Seniors' Advocate also recommended that the shingles vaccine would be free of charge to low-income

seniors. Another recommendation that has not been implemented. Seniors deserve better.

I ask: When will this recommendation of the Seniors' Advocate finally be implemented?

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

**S. COADY:** I'm going to speak to the preamble on affordability, Speaker.

We've lowered the gas tax by eight cents. We have eliminated the tax on home insurance.

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

**S. COADY:** We've reduced the cost of registering a vehicle by 50 per cent. We have increased the Income Supplement. We have increased the Seniors' Benefit. We have lowered the cost of child care to \$10 a day, Speaker.

We have provided free medicals for those over the age of 75. I just spoke to the issue around how many of the recommendations of the Seniors' Advocate have been implemented. Now I've also announced that we'll be mirroring the federal government on eliminating the HST for the next two months on critical items.

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

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

**SPEAKER:** Order, please!

It's hard to hear the Member speaking when other Members are shouting across the floor. Please, I ask Members to keep a little level of decorum in the House.

The hon. the Leader of the Official Opposition.

**T. WAKEHAM:** Speaker, I guess I'll try and ask the question again: When will the Liberal government implement the

recommendation that the shingles vaccine should be free of charge for low-income seniors?

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

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

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

As the Member opposite knows, we always rely on public health direction from our Public Health officials, and the people who deal with this and do research and give us, not opinions but expert advice, on when vaccines should be delivered. Thankfully, we don't have to look back very far; we had the global pandemic. We relied very heavily on Public Health recommendations for vaccines, such as the COVID vaccine.

So we'll continue to rely on the experts rather than make decisions here because they've been raised in the House. But, of course, the government has made high-dose influenza vaccines, for everyone over the age of 65, free, which was noted in the report as well that has been done and taken care of. We're glad to look after seniors with that issue.

Thank you very much.

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

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

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

We still haven't got the vaccine covered and we continue to blame COVID for everything. So I guess the seniors will wait.

Yesterday, the Ministers of Health and Immigration made excuses as to why international nurses from India have not been hired in this province. Speaker, regardless of what position they were originally hired for, regardless of what

pathway or program they came here under, they are now fully qualified to work as registered nurses and the government still won't hire them. Why?

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

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

I'm glad the Member opposite finally understands how nurses are coming in this province. We have two streams.

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

**S. STOODLEY:** Anyone who came in with a job offer as a registered nurse is currently working as a registered nurse. We have 110 so far this year and we have 31 on the way before the end of the year, Speaker, I'm very excited to say.

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

**S. STOODLEY:** Newfoundland and Labrador Health Services, as the employer, would be working with anyone who came in as a PCN or an LPN under different streams, would be working with them, as the Minister of Health mentioned yesterday, to match them with jobs and vacancies across the province.

As everyone knows, health care recruitment is the top priority of our government, I would say, Speaker. We are fixing health care for Newfoundlanders and Labradorians.

Thank you, Speaker.

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

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

**B. PETTEN:** You know, Speaker, it's astonishing. My second day and I keep asking these questions.

We have 741 vacancies. It's long overdue. They're doing a great job of matching the vacancy numbers. There are more people leaving than being hired and they're over telling me they're matching.

These people are sitting at home waiting for a job. Why aren't they hired?

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

**J. HOGAN:** Speaker, I've been trying to give an answer for two days, so maybe I'm not being clear.

First of all, there are not 740 vacancies. There was a high-water mark of around 750 at the end of October 2022. I've only been minister four months and we did a media briefing and the Member attended it as well, where the vacancies were down to 600.

I can report now we're doing an analysis and what we've seen so far – and we want to meet with the RNU as well to make sure all our numbers match up – the number has gone down from 600 as well.

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

**J. HOGAN:** So we are working on it and it is working.

With regard to RNs who are in the province, we want them to work here as RNs; however, just because they're RNs, they may have upskilled. It doesn't mean they came here to be RNs. They came here for other reasons, such as to be personal care attendants. Now that they have upskilled, NLHS is meeting with them to find them positions to match them to where they want to go to work in the health care system. NLHS is doing everything they can to hire these individuals.

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

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

**B. PETTEN:** Speaker, the people of the province don't care whether they were originally hired as PCAs or LPNs. We have hundreds of vacancies and the Nurses' Union –

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

**B. PETTEN:** Let me ask a question, please.

**SPEAKER:** Order, please!

**B. PETTEN:** Minister of Justice, give me a chance, I'll get there.

As late as yesterday, the Nurses' Union continues to speak about the forced 24-hour shifts and burnout, yet we have fully qualified nurses sitting at home. This is pretty simple to the general public, Speaker.

Why are you refusing to hire these nurses they recruited? They've been home for a while, it's not yesterday.

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

**J. HOGAN:** Two things, Speaker, I've met with the president of the RNU and I've made my commitment and NLHS has made their commitment to make sure that the vacancies are filled as soon as possible.

The second thing is, there aren't RNs who were promised jobs sitting home doing nothing. If they're working as PCAs, that is the position that they were employed in. I'm very grateful that some of them are willing and want to upskill to become RNs. Once they become RNs, I've directed NLHS to reach out to each and every one of them to fill vacant positions in the system, Speaker.

Thank you.

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

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

**B. PETTEN:** Speaker, why are we still in the UK sponsoring a soccer team and spending millions of dollars on a website recruiting nurses when we have no intention of hiring them?

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

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

I'm very happy to stand and speak about our immigration recruitment efforts. Based on their changing immigration policies, we believe that there are tens of thousands of people in the UK who are currently there who won't be able to stay there, health care workers. Our team with Newfoundland and Labrador Health Services have been in the UK employing a range of marketing tactics to fill up the top of the funnel to get as many health care workers to consider Newfoundland and Labrador as possible.

We've done 100 one-on-one interviews with health care workers, residential construction workers and early childhood educators in key demand sectors in Newfoundland and Labrador. We are doing our best, Speaker, to bring the best health care workers to Newfoundland and Labrador.

Thank you, Speaker.

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

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

**B. PETTEN:** That's pretty good, Speaker. They got loads of international nurses here now, they can't put them to work, yet we're down there supposedly recruiting hundreds of more international nurses. I'm not sure what the rush is, you can't get the ones you already got here hired.

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

**B. PETTEN:** Unreal.

Speaker, a spokesperson for the 60 nurses from India has cited fear of repercussions for why these nurses won't speak out for themselves.

Has the minister reached out to learn the basis of this fear?

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

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

I was attending the meeting with the Registered Nurses' Union with Minister Hogan last Friday and this issue was brought up.

I offered to the Nurses' Union that I would be very happy and our team would be very happy to work with any of these individuals to make sure that they are on the right pathway with NL Health Services, the employer, to make sure they're on the right pathway. Minister Hogan has already confirmed that he has given direction to Newfoundland and Labrador Health Services to work with them as much as possible to get them in our system.

Thank you, Speaker.

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

**SPEAKER:** I'll just remind Members not to use names but rather titles.

The hon. the Member for Terra Nova.

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

With Clarenville facing an internal medicine shortage, lives are being put at risk, just ask Jean Butt. Without an internist available in Clarenville, the family was told a full resuscitation was no longer available unless she was transferred to another hospital.

Minister, is this the future of health care in rural Newfoundland and Labrador?

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

**J. HOGAN:** Speaker, as I said a lot in the House over the last three weeks, health care in rural Newfoundland is extremely important. We're doing everything we can to recruit and retain all sorts of health care workers throughout this province and, in particular, where it is a little more difficult in rural and remote parts of Newfoundland and Labrador.

Internal medicine is the hardest position to recruit, not only in Newfoundland and Labrador, but throughout Canada right now. There is an IM available on a 9-to-5 basis right now and, of course, NLHS is working to make sure any gaps now and in the future will be filled. IM is a priority because, as I said, it is a very difficult position in the country to recruit right now.

Thank you.

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

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

**L. PARROTT:** Speaker, people in rural Newfoundland are literally dying to get into the hospital.

I've been contacted by another family whose father-in-law was diagnosed with early-stage heart failure but sent home from G. B. Cross in Clarenville. Speaker, a week later, he was found deceased.

The family has asked me whether the absence of an internist denied this man appropriate care?

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

**J. HOGAN:** Speaker, I can't speak to an individual situation, but, obviously, my heart and my condolences go out to anyone who has lost a loved one in this province. We are

working very hard to make sure health care is the best it can be for everyone in Newfoundland and Labrador.

With regard to IM, as I said in the House I think a couple of weeks ago, NLHS is working on an alternative payment plan for IMs. There was a plan implemented at St. Clare's here in St. John's and that will allow us to leverage that to make sure that IMs, who I said are difficult to recruit, are willing and able to come here throughout rural Newfoundland and Labrador and to the area the Member speaks about.

Thank you, Speaker.

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

**L. PARROTT:** Speaker, the minister said that there is an internal medicine specialist out there. He's not going to be there in a week or two; he's going to be gone. There are no pediatricians. The minister said there's a pediatrician out there; there's no pediatrician out there.

I just gave two examples – just two examples – of people who have been impacted, one of those is a death. Is this a display of government's inability to provide proper health care to Newfoundland and Labrador?

Minister, you knew about the internal medicine specialist in July. It's now November.

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

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

I'm not sure what the question was, so I'll just have to repeat what I said. Again, my heart goes out and my sympathies go out to anyone who is dealing with a difficult health situation in this province.

It's my responsibility, and it's this government's responsibility, to deliver

quality health care in Newfoundland and Labrador. To say that we don't care and are not trying is just not true. People need to know that we're trying. There are difficult positions to fill, there are difficult gaps in the system. We have Health Accord NL.

The Premier has been very clear, and everyone in the province who is dealing with health care and has contributed to Health Accord NL recognizes that this is the right plan forward.

I'm not trying to blame COVID, but things changes in 2020, Speaker. The whole world got turned upside down. We closed the health care system. We closed it and it all had to get back up and running again: backlog of surgeries, nurses weren't available, physicians were burnt out, staff were burnt out.

I'm very sorry that happened, but we are doing our absolute best in rural Newfoundland and Labrador to get that quality health care back.

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

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

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

Speaker, residents of Change Islands are wondering where their full-time nurse is. Last Thursday, Ralph Ledrew had a medical emergency early in the morning. Because of the bad weather, the ferry took four attempts to dock before rushing him to Fogo Island for care.

When will the Premier stop hiding behind his false promise and give the people of Change Islands the nurse they deserve?

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

**J. HOGAN:** Mr. Speaker, NLHS is always working on making sure there is primary

care access available in Change Islands on a rotational basis, of course. They're working very hard. There's been a vacancy with regard to a nurse for Change Islands over the last little while. In fact, NLHS met with a casual nurse, I think as recently as yesterday. She's interested in going to Change Islands for a visit to see if that's a position she would like to take.

So they're working on it. They have someone in mind and, hopefully, she'll take the position.

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

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

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

I'm confused, last Wednesday, the Minister of Finance stated cutting the HST only benefited the wealthy and that the Liberal government used only targeted, means-based measures to reduce poverty.

I ask the minister: What happened in the last seven days?

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

**S. COADY:** Thank you, I was mirroring some of the words that I've heard from the NDP, Speaker.

When they talk about measures, they always talk about targeted measures. I was referring to the fact they were doing a carte blanche cut or referring to a carte blanche cut. We've been working with the federal government on affordability measures. It's very important to the people of our province.

I'm glad to see that the federal NDP is supportive of this tax reduction. I'm glad to say that Newfoundland and Labrador will mirror what the federal government is doing.

As I said last week in the PMR that the Member's referring to, the HST really is

under the purview of the federal-provincial harmonized tax rate. The federal government is responsible for it. It can only be changed by the federal government. Now that they have made some changes, we'll certainly mirror them. I'm glad to say that it's a benefit to Newfoundlanders and Labradorians.

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

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

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

It would've been great to have had the minister's support last week.

Speaker, at a time when more people are desperate for affordable housing, the Department of Housing has decided to make the situation worse by selling off four NLHC units on 106-108 Livingstone Street that were damaged in a fire in October 2023.

Rather than rebuild or offer the land to a not for profit, the department decided to sell it off at a bargain basement price. It defies logic, Speaker.

I ask the minister: Why? What in God's name was he thinking?

**SPEAKER:** The hon. the Minister of Housing, and Mental Health and Addictions.

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

In terms of the situation that the Member refers to, at NLHC we considered what were the options, in terms of replacing these units that were burnt through a fire caused by a neighbour. We determined that to replace that particular unit with the current design features that we need, with universal design to meet current standards, that it was not the appropriate place or location. As a

result, we have made that unit available to the market.

Meanwhile, we are expanding our NLHC units across the city and across the province, and we will continue to invest in social housing to meet the need here in the province.

**SPEAKER:** Order, please!

The minister's time is expired.

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

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

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

This government can spend tens of millions of dollars to buy back land they previously owned but won't spend the money to repair or rebuild affordable housing units. There are more down in that neighbourhood that need repair.

I ask the minister: Who did he sell it to? Was it a private developer?

**SPEAKER:** The hon. the Minister of Housing, and Mental Health and Addictions.

**J. ABBOTT:** Speaker, we worked through a real estate agent and it's on the market.

Speaker, in terms of what we are trying to accomplish here, we have our five-point housing plan. We are increasing affordable housing. We're making public land available for affordable housing. We are also adding the land available for private development. We are supporting community agencies to make sure that they can provide supportive housing. We've invested in The Gathering Place, we've invested in Stella's Circle, we've invested in Choices for Youth, we've invested in Labrador and we will continue to do that, Speaker.

Thank you.

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

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

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

It is an interesting concept to increase affordable housing by selling it off.

Speaker, I've advocated for a community centre for Livingstone Street since I was first elected. The minister paid \$70,000 for a consultation report that recommended the same.

I ask the minister: Can he tell the people of Tessier Park, Livingstone Street where this community centre will go, or is he waiting until H3 Development puts a piece of land up for sale?

**SPEAKER:** The hon. the Minister of Housing, and Mental Health and Addictions.

**J. ABBOTT:** Speaker, I'm not quite sure of the last reference so I'll skip over that.

Speaker, as a child, I grew up on Livingstone Street, so I am quite familiar with the neighbourhood. So what we are prepared to do, and in the conversations I've had with the Member for St. John's Centre, is that we are committed to putting in a community centre and to support the residents and children in that area.

The report that he referred to was funded so that we can find out what are our best options to support the community. We are acting on that report. We will be investing in a community centre to meet the needs of St. John's Centre.

Thank you, Speaker.

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

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

The hon. the Deputy Premier.

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

During Question Period, I told this House that the affordability measures were over \$500 million. I checked; it is now over \$700 million.

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

**SPEAKER:** Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

### Notices of Motion

**SPEAKER:** 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 Monday, December 2, 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, December 3, 2024.

Speaker, I give notice that I will on tomorrow move in accordance with Standing Order 9 that this House shall not adjourn at 5 p.m. on Wednesday, December 4, 2024, but shall continue to sit to conduct Government Business and, if not earlier adjourned, the Speaker shall adjourn the House at midnight.

**SPEAKER:** Any further notices of motion?

The hon. the Deputy Premier.

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

I give notice that I will on tomorrow introduce a bill entitled, An Act to Amend the Revenue Administration Act No. 6, Bill 100.

**SPEAKER:** Further notices of motion?

The hon. the Minister of Justice and Public Safety.

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

I give notice that I will on tomorrow introduce a bill entitled, An Act to Amend the United Church of Canada Act, Bill 99.

**SPEAKER:** Further notices of motion?

The hon. the Minister of Labrador Affairs.

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

I give notice that I will on tomorrow introduce a bill entitled, An Act to Amend the Labour Standards Act No. 2, Bill 101.

**SPEAKER:** Further notices of motion?

The hon. the Minister of Justice and Public Safety.

**B. DAVIS:** Speaker, I give notice that I will on tomorrow introduce a bill entitled, An Act Respecting the Establishment of the Law Enforcement Oversight Commission and the Complaints Process Relating to Law Enforcement Officers, Bill 102.

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

Answers to Questions for which Notice has been Given.

Petitions.

### Petitions

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

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

WHEREAS there are many hopeful mothers and couples in this province dealing with infertility issues and require medical assistance to conceive; and

WHEREAS the costs associated with out-of-province fertility treatments, specifically in vitro fertilization, is extremely cost prohibitive; and

WHEREAS there are doctors in the province trained in in vitro fertilization and have the desire to set up an in vitro fertilization clinic in the province; and

WHEREAS the province is dealing with an aging population and serious population growth challenges;

THEREFORE, we petition the House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to establish a fertility treatment clinic within the province, providing full fertility services, including in vitro fertilization for hopeful mothers and families and, in the interim, provide financial assistance to access out-of-province fertility treatment and services.

Speaker, I've presented this petition before, as well as my colleague in the Official Opposition, the MHA for Topsail - Paradise who has presented it many times as well. What we have been doing is we have been lobbying and pressing government to address the problems faced by many mothers and couples who wish to conceive and have children.

The key points, however, here to be acknowledged today is what is the problem in terms of accessing fertility treatments. We do know there was partial response by government in 2022 with respect to the

\$5,000 travel subsidy. So there was partial response to our advocacy and it was aimed at assisting families needing to travel outside the province to access in vitro fertilization.

However, Speaker, this subsidy if just not cutting it. There are exorbitant costs associated with obtaining these services out of province.

I will just direct the House to an email that I received from one of my constituents just earlier this month. She and her partner have been struggling with infertility for almost two years now and, unfortunately, with her current fertility diagnosis, she's exhausted all of the options that are offered here in Newfoundland and Labrador. She has to travel out of province to continue with her journey. She says in her advocacy to me: Why is it that Newfoundland and Labrador does not have an in vitro fertilization clinic?

Individuals are not able to avail of this procedure. They have to leave our province. Yes, we understand that the procedure itself is very costly, but she indicates that it is so costly for them. They have to add travel, they have to add accommodations, time off work, food, all of this is an ever-growing cost to try to start a family.

Speaker, why is it that this government has not issued the report that was commissioned in October 2023? We're waiting to hear about it.

**SPEAKER:** The Member's time is expired.

**H. CONWAY OTTENHEIMER:** Thank you.

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

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

I want to take 30 seconds to acknowledge the petition and, I guess, acknowledge everyone in this province who is addressing this issue. Obviously, it touches everyone's

heart trying to have a kid. I've been very lucky, I do have two wonderful children and didn't have to avail of IVF, but someone who wants to have children and needs to avail if IVF should have that ability to do so in this province.

So we have commissioned a report. I recognize that it's taking longer than people expected to get the report back. We should have it in a very, very short period of time and that will be made public as soon as possible. We will do everything we can to deliver IVF treatments here in this province.

Thank you, Speaker.

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

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

**L. O'DRISCOLL:** The background to this petition is as follows:

The Long Run Road is the main access road from the Goulds to Petty Harbour-Maddox Cove. This piece of infrastructure is in need of major repairs. This road is in a deplorable condition and is relied on by both residents and visitors on a daily basis. Petty Harbour-Maddox Cove is a well-known tourist attraction in this area.

Therefore, we petition the House of Assembly as follows: We urge the Government of Newfoundland and Labrador to complete the necessary repairs to the Long Run Road in Petty Harbour-Maddox Cove to enhance and improve the flow of traffic to allow for safe travel on this important roadway.

Speaker, I've done this petition a few times during this session and many times before. It's a road that's in deplorable condition. I had a couple of calls this week that there was a major pothole down there; two cars that had tires and rims that were ruined. When people are driving down there, they're going across the road to try to avoid the

potholes, it's a safety issue for sure in the area. Residents travel it, tourists travel it. It's a fishing area. There are restaurants in the area. There is all kinds of stuff going on down there. This road has been on the list for the last five years that I've been in here, with terrible conditions.

Now they did go down, I will give credit, they went down and filled in this pothole. It was a big crater, according to the people there. We called the depot and they did go down and get it filled, but that doesn't help anything. When the snow comes, the plow comes, up comes the asphalt off the road again and there's a big hole there again.

This road is in dire need and I mean dire need of repairs. It's a couple of kilometres of road that they could go down and fix with the tourist people that come in there. Like I said, when they come into St. John's, they want to see rural Newfoundland. In 15 minutes they can jump in a rental car and they can be down there. When you're down there in the summer, it's hard to find a spot to park, there's that much tourism there. The residents use it daily; they're going to and from St. John's.

It's incredible that the department have not gone down to fix this. We were promised this from a previous minister that they would go down and they were going to do some paving. It's still hasn't been done.

I hope that the minister can get down, have a look at it and be able to do some repairs on this road.

Thank you, Speaker.

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

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

**F. HUTTON:** Mr. Speaker, I thank the Member opposite for pointing that out. I will say, again, that we have a massive

province, 9,700, roughly, laned kilometres of road through this province. We've got 1,300 bridges for which TI is responsible for.

I want to take this opportunity to say, of course, I will work with Members on this side, that side, wherever to make sure that roads are as safe as possible within the confines of the budget that we have.

I also want to take an opportunity to thank the people who work each and every day with Transportation and Infrastructure. The people at the depots. The people who keep our roads clear during the wintertime and in the summertime and do the repair. They have a mammoth task and I just want to take an opportunity to thank them for the work that they do on a daily basis for Newfoundlanders and Labradorians.

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

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

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

I apologize for my voice; I'm just getting over a cold.

The background to this petition is as follows:

Inclusive education has become a cornerstone of educational policy in Newfoundland and Labrador, promising to accommodate all students equitably. However, many schools are not meeting these commitments effectively, leaving students who need support and their parents without access.

Many students are continuing to face barriers in accessing equitable educational opportunities such as: (i) inadequate classroom accommodations; (ii) insufficient support staff; and (iii) limited training for educators and community partners. Therefore, we petition the House of Assembly as follows: We, the undersigned, call upon the House of Assembly to urge the

Government of Newfoundland and Labrador to:

- (i) increase funding by investing in additional resources and support staff to better serve all students;
- (ii) enhance professional development with comprehensive and ongoing training for all educators to equip them with the skills they need to support quality, inclusion education effectively;
- (iii) improve equitable access to services to ensure all students throughout Newfoundland and Labrador have access to specialized services and interventions that meet individual needs; and
- (vi) implement regular policy review to evaluate the effectiveness of inclusive education and makes necessary adjustments on feedback and outcomes from educators and families.

This is extremely important. We know there has been some announcements. In Estimates, we found out that there was 104 full-time equivalent student assistants added. We know that there has been some change to the ratios of counsellors, but you still need people. You still need people in those roles.

As we know through the Health Accord, education is one of the huge social determinants of health. It is the foundation for the success of our children and it cannot be ignored. There has to be more resources for educators and students and all who are involved in education in this province to ensure that they have the best outcomes they can have.

I look at this and I look at what's happening out there and the stories I hear – I'm meeting with one parent tomorrow, actually – our children deserve better.

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

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

The background to this petition is as follows:

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

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

Despite the provincial government's obligation to provide an inclusive education, reports from educators, parents and advocacy groups revealed persistent gaps in resources and educational supports. Many students are continuing to face significant barriers in accessing equitable educational opportunities such as insufficient support staff. There's a critical shortage of special education support staff leading to reduced one-on-one support and individualized attention for the students who require it.

Many schools lack the necessary resources to implement effective inclusive practices such as assistive technology, sensory tools, personnel care and supports via student assistance and so on.

Currently, there are no parameters of how schools are to communicate with families about what supports are put in place for students.

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

(i) determine – with input from the families – and hire the necessary human resources for students with exceptionalities prior to the end of the academic year;

(ii) develop a consistent communication plan that is upheld between schools and families to ensure that progress towards goals outlined in individualized education plans are being monitored and adjusted, as needed;

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

(iv) provide a safe space where educational staff are encouraged, without fear of reprimand, to acknowledge gaps in service delivery and communicate this with families;

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

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

Speaker, it's been said by the minister that one size does not fit all. I can honestly say, I've never promoted that. But I will tell you that the lack of resources, if you don't have the necessary educational professionals to provide the supports, that's exactly what you're going to have.

That's clear from the Carter Churchill case. That's clear from the New Brunswick case versus the employer and it's clear from the case in BC. Put the resources in place. That's what this petition is asking for and we'll have an individualized education system.

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

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

Section 158 of An Act Respecting Towns and Local Service Districts speaks to the selling of real property by arrears sales. This provides municipalities the ability to garnish the land where a significant amount of taxes are unpaid, which negatively impacts the municipality in fulfilling its mandate. The town council will provide the purchaser of this property a valid conveyance assigning land to be absolutely free of encumbrances except for a claim of Crown lands.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to allow municipalities in the province to complete arrears sales without Crown land challenges, but respecting easements.

I just want to use two municipalities in my district. Back in '19-'20, there were arrears sales of property of which large amounts of taxes were owing in Trinity and Port Rexton. In those years, '19 into '20, there ranged three developments, three land sales conducted by Chris O'Dea. Chris O'Dea then has auction, auctions it off and each of those auctions ranged in economic development for the area between a half a million and \$1.5 million.

But on April 16, 2020, the current Minister of Fisheries, Forestry and Agriculture sent a memo out to municipalities stating the same; stating in writing they would have to satisfy itself that the Crown has no interest. He suggested that if towns cannot do that, it may wish to provide notice to the purchaser that the resulting tax deed does not provide clear title in the Crown's interest and it has not been extinguished. That means good luck to municipalities trying to sell property, knowing that the Crown Land still has dibs on that land.

I would propose today, like the names on the petition, is that put a quitclaim out to all these municipalities on the tax arrears sales and allow the economic development to occur in rural Newfoundland. Don't go stymieing the Port Rextons of the world and the Trinities of the world as they try to create some economic development in their area.

So I would ask the minister. I'd like to hear where he would stand on that.

Thank you very much, Speaker.

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

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

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

I didn't think I was going to get it in.

This is a petition for timely and adequate access to health care for Northern Labrador residents.

We, the undersigned, are concerned citizens of Newfoundland and Labrador who urge our leaders to ensure that our Northern Labrador residents of Nain, Natuashish, Hopedale, Makkovik, Postville and Rigolet are provided with access to timely and adequate health care.

Frequently, patients are prevented from getting to and from medical appointments at outside provincial health authority centres in Happy Valley-Goose Bay, St. John's, St. Anthony, Corner Brook, et cetera. Some of the delays are due to inclement weather but, often, patients are prevented from getting on the medical flights to and from their appointments because there are no seats left on the flight.

There are multiple reasons for this, and we are calling on the government to work toward removing these barriers so patients can access their medical appointments for diagnosis and treatment.

Now, Speaker, I talk a lot about when the weather is good and there's no barriers to the plane actually coming to the North Coast communities or going back to Goose Bay with patients so they can actually get out to their appointments and back. Just this week, we've had some really bad weather. Flights were delayed multiple days. But now what I'm running into is, as the weather has cleared and the plane is able to fly, patients can't get out to their appointments. I got somebody in Makkovik calling me; they can't get out to their appointment in Goose Bay. I had seven passengers from Makkovik message me and they're trying to get home. That's not including the passengers from Nain, Hopedale, Postville and Rigolet.

But the reason why I'm saying this in the House of Assembly today is because across from me are the ministers. It's good not only for the Minister of Labrador Affairs and the Minister of Health and the Minister of Mental Health and Addictions to hear it, it's good for all ministers to hear about the barriers that my people in my district face. Just things that you take for granted.

The planes will be landing in Goose Bay, but they can't fly up the North Coast. Snow, a bit of rain, even fog, sometimes wind will impact the ability to get to the communities. So when the weather is good, when it's flyable it's really, really disheartening for patients to be stranded. Because what that's doing is impacting their decisions to access health care. On the North Coast, they might be able to get out to Goose Bay, but they're saying, will I be able to get back or will I lose all my vacation time? Will I actually have to find babysitters for my kids for four, five, six or seven days?

Speaker, that's impacting not just the physical health, but the mental health of the patients in my district. So it's really, really difficult, Speaker. I think that there should be an investigation into the barriers. Also, I'd like to have an investigation into what we were promised this spring about the number of flights that we were promised. The

number of days were expanded, but we were told a number of flights. This summer we were robbed of the opportunity to get out because those promises weren't fulfilled.

Thank you, Speaker.

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

**SPEAKER:** Response?

Okay.

Orders of the Day.

### Orders of the Day

**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 Government House Leader, that under Standing Order 11(1) this House not adjourn at 5:30 on Thursday, November 21, 2024.

**SPEAKER:** Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

The hon. the Government House Leader.

**J. HOGAN:** Speaker, I call from the Order Paper, Order 14.

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

**J. HOGAN:** Speaker, I move, seconded by the Minister of Digital Government and Service NL, that An Act to Repeal the Financial Services Appeal Board Act and to Amend Various Acts of the Province to Eliminate Appeals to the Financial Services Appeal Board, Bill 96, be now read a second time.

**SPEAKER:** It is moved and seconded that Bill 96 be read a second time.

Motion, second reading of a bill, "An Act to Repeal the Financial Services Appeal Board Act and to Amend Various Acts of the Province to Eliminate Appeals to the Financial Services Appeal Board." (Bill 96)

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

**E. LOVELESS:** Thank you, Mr. Speaker.

Mr. Speaker, the provincial government takes consumer protection very seriously. Many financial services are required by legislation to be regulated by the Consumer and Financial Services Division, which includes the licensing of various financial service professionals. The division maintains licensing processes to ensure the professionals meet the requirements of the law.

Relevant acts have been updated in recent years with the goal of consumer protection certainly top of mind, Mr. Speaker. Established under the *Financial Services Appeal Board Act* in 2005, the purpose of the Financial Services Appeal Board was, and is, to hear appeals from persons aggrieved by an order or decision made by the following parties: the Superintendent of Securities under the *Securities Act*, the Superintendent of Insurance under the *Insurance Adjusters, Agents and Brokers Act* and the *Insurance Companies Act*, the Superintendent of Real Estate Brokers and Salespersons under the *Real Estate Training Act, 2019*; and the Register of

Mortgage Brokers under the *Mortgage Brokers Act*.

I remind this House, Mr. Speaker, that the *Mortgage Brokers Act* is to be repealed and replaced by the *Mortgage Brokerages and Brokers Act*, which comes into force on April 1, 2025, and will replace the existing registrar of mortgage brokers with the Superintendent of Mortgage Brokerages and Mortgage Brokers.

After hearing an appeal, Mr. Speaker, the board may confirm, revoke, suspend or amend an order or decision that is subject of the appeal or impose other terms and conditions that it considers necessary.

The Financial Services Appeal Board currently consists of a chairperson and four board members, all of whose terms have expired and the members, as a process, are selected through the merit-based Independent Appointment Commissions process.

As a Tier 2 entity, the Public Service Commission manages the recruitment process, with those names submitted to the minister to seek approval through the LG in Council. The board is considered a category 3 organization under the *Transparency and Accountability Act* and is required to produce three-year activity plans and annual reports for tabling in the House of Assembly

The Financial Services Appeal Board has not received any applications for appeals since 2015. Mr. Speaker, this lack of activity over the past number of years, along with the continued need of allocating department resources to support the Financial Services Appeal Board, brings into question the necessity for this board.

Mr. Speaker, maintaining this board, despite the lack of activity, would require continued allocation of departmental resources for the board member appointment process along with the allocation of Public Service

Commission resources for posting notices of vacancies, reviewing applications and preparing submission of recommendable candidates to the department. In addition, resources would continue to be allocated for drafting and reviewing three-year activity plans and annual reports to facilitate tabling in the House of Assembly for an inactive board.

We are therefore proposing to eliminate the Financial Services Appeal Board, to make more efficient use of resources and establish a right of appeal through the deputy minister to ensure the department remains accountable by implementing an effective and efficient appeals process that reduces administrative burden.

If approved, the deputy minister of DGSNL would be responsible for hearing and considering any appeals of the decisions of the superintendents or the registrar of mortgage brokers.

More along the process, an applicant for an appeal would submit to the deputy minister a form summarizing their issue, including the applicable decision being applied and a written argument along with relevant documentation rationalizing the appeal.

The deputy minister would begin the review within 30 days of the appeal being received or as the board was required to begin a review within 90 days. The deputy minister may confirm, may revoke or vary the matter under appeal and provide written reasons for the decision to both the appellant and the relevant superintendent within 30 days of completing that review.

A person, Mr. Speaker, aggrieved by a decision of the deputy minister, can appeal to the Supreme Court, a right they would also have with respect to the decision of the appeal board.

Important to note, Mr. Speaker, the deputy minister does not have a role in the administrative or operational decisions

made by the superintendents. The deputy minister would not have any involvement, previous knowledge or perceived bias of specific decisions being appealed. Therefore, there would be no conflict of interest.

Just to those individuals, Mr. Speaker, that contributed to this board and its operation – and they have been notified – they may, themselves, be available to hear appeals that have not been filed and have been engaged in the planning and reporting requirements assigned to all public entities. Their willingness to serve is certainly and sincerely appreciated.

The chair and four members have significant expertise and knowledge that we believe could be used in other areas with other boards within the structure. The new appeals process, if approved, would come into force upon Royal Assent.

As we are making these changes, we are also taking the opportunity, which is consistent with recent drafting in other legislation, to update the act to incorporate gender-neutral language and to replace all references to the Trial Division with the Supreme Court.

Thank you, Mr. Speaker, for allowing me the opportunity to outline and speak to Bill 96. I look forward to the other side and the debate and questions, hopefully, shortly after.

Thank you.

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

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

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

It's certainly a pleasure to get up to speak to Bill 96. I thank the department for the briefing on it. It's certainly appreciated. There's not a whole lot to this bill. You

haven't had an appeal since 2015, as the minister said. Sometimes you wonder why we wait so long, but it will speed up the process if it goes from 90 days to 30 days, then this is some of the red tape we hope goes away. So it's something we certainly look forward to.

This bill will repeal the *Financial Services Appeal Board Act* and amend related legislation to transfer appeal responsibilities to the deputy minister of DGSNL. The bill also incorporates modernized language, gender-neutral terminology and streamlines appeal processes across several financial and regulatory acts.

The background to this is the Financial Services Appeal Board was established to oversee appeals related to financial service regulation, i.e., mortgage brokers, security financial advice, investing, et cetera. However, reliance on the board has become minimal, as I said. It's 15 years and they haven't had an appeal.

By transferring the appeals responsibilities to the deputy minister, the government aim is to centralize decision-making, reduce delays and simplify regulatory oversight. That's what we're all looking for, to simplify this stuff, and hopefully this will help along the way. Additionally, this legislation updates outdated terminology and aligns processes within contemporary government standards.

So the key points of this are: repeal of the *Financial Services Appeal Board Act*; the bill dissolves the board and transfers its functions to the deputy minister of Digital Government and Service NL; amendments to related acts; adjustments to the *Insurance Adjustors, Agents and Brokers Act*, the *Insurance Companies Act*, the *Mortgage Brokers Act*, the *Real Estate Trading Act, 2019*, and the *Securities Act* to ensure consistency in appeal and regulatory processes.

We do have a few questions when we do get to Committee, so I'll leave it there for now.

Thank you.

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

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

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

Speaker, the *Elimination of the Financial Services Appeal Board Act* is administrated through Digital Government and Service NL and appointed by the Lieutenant-Governor in Council. The mandate of the board is to hear from persons impacted by decisions or orders made by the Superintendent of Securities under the *Securities Act*, the *Mortgage Brokers Act* and so on and so forth.

We do have some concerns when it comes to the appealing of this board and moving everything directly into Digital Government and Service NL, and with the deputy minister and giving those powers directly to the minister. We'll have some questions about the decision-making and any possible conflicts or stuff by doing such a thing and removing this board. We do understand that there were no appeals made since 2015, but there's still a role to play for an arm's-length board.

Abolishing the board because of little work, it is concerning and we do have some questions about the decision-making there and, if possible, any conflicts or anything by having that pulled indirectly into the government and hearing that from that. So I do have some questions for the minister when it comes to that.

Thank you.

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

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

I'll be supporting the bill as well. As has been indicated, there's not a whole lot to it here in terms of substance but, at the end of the day, any time we can eliminate red tape and so on, I think it's important to do so. I think there should be a review of all the boards we actually have in government. I don't know how many there are. There are quite a lot of them. Some of them are paid and, of course, there are costs from meetings and so on.

It would be interesting to have a number in terms of how many boards do we have, how much is it costing the taxpayers, how often they're reviewed to see if some of them are required or they're not required, as this one here is clearly not required.

I don't really share the concern my colleague from Labrador West has about the conflict. I think the minister has indicated that the entities we're dealing with here would not have any direct contact, so to speak, or involvement with the deputy minister.

I'd probably be a little bit more concerned about conflict and politics creeping in if it was the minister – not this minister but any minister of the day and so on. But deputy ministers tend to be, in a lot of cases, career bureaucrats. They work for all administrations, whether they be PC or Liberal or whatever the case. They're all well qualified, professional individuals in my view, as a general rule.

So I don't really have that concern, and given the fact that this appeal board hasn't met in such a long time – or at least they haven't had an appeal in such a long time, it only makes sense what's happening here that we would dissolve the board and let the deputy minister take care of it.

As I said, perhaps there are other areas across government where maybe we need to be looking at the same thing. If it can

save time and possibly save money and it makes sense and if it's an area where there wouldn't be any potential conflict, then I don't know why we wouldn't look at doing the same thing.

Thank you.

**SPEAKER:** Seeing no other speakers, if the Minister of Digital Government and Service NL speaks now, we'll close debate.

The hon. the Minister of Digital Government and Service NL.

**E. LOVELESS:** Thank you, Mr. Speaker.

I think the common theme from all sides here is reduction of red tape. We all want to see that. As the Member for Ferryland talked about in terms of consistencies, simplifying – yes, that's what we want to do here. The Member for Labrador West, the concern – I don't necessarily see that either but respecting your concern that would be from your perspective, but with the deputy minister, as such, in the department, I respect him as a deputy minister and the process as well.

The Member for Mount Pearl - Southlands, kind of, said the same thing – I think we are all saying the same thing. But I don't disagree with you in terms of reviewing all. Every department I've went int, the first thing I ever asked for is reviewing where we can clean up any boards or anywhere where there are inefficiencies to make it more efficient.

I think that's the aim; that's the goal. So I'll leave it at that and wait for Committee for questions that I, hopefully, can answer. If I can't, I'll find them.

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

The motion is that Bill 96 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.'

Carried.

Motion carried.

**CLERK (Hawley George):** A bill, An Act to Repeal the Financial Services Appeal Board Act and to Amend Various Acts of the Province to Eliminate Appeals to the Financial Services Appeal Board. (Bill 96)

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

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

**J. HOGAN:** Now.

**SPEAKER:** Now.

On motion, a bill, "An Act to Repeal the Financial Services Appeal Board Act and to Amend Various Acts of the Province to Eliminate Appeals to the Financial Services Appeal Board," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 96)

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

**L. DEMPSTER:** Speaker, I move that this House do now resolve itself into a Committee of the Whole to consider Bill 96.

**SPEAKER:** And your seconder?

**L. DEMPSTER:** Seconded by the Minister of Digital Government and Service NL.

**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 96.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye,

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

Carried.

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

### Committee of the Whole

**CHAIR (Gambin Walsh):** Order, please!

We are now considering Bill 96, An Act to Repeal the Financial Services Appeal Board Act and to Amend Various Acts of the Province to Eliminate Appeals to the Financial Services Appeal Board.

A bill, "An Act to Repeal the Financial Services Appeal Board Act and to Amend Various Acts of the Province to Eliminate Appeals to the Financial Services Appeal Board" (Bill 96)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The hon. the Member for Ferryland.

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

Can the minister outline the process for appeals?

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

**E. LOVELESS:** Thank you.

I think I had it in my notes in terms of the actual – let me see so I can give it to you correctly. Bear with me for a second.

I guess I can sum it up in terms of steps. An application from the applicant for an appeal goes before the board and they hear it and then they render their decision on that appeal.

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

**L. O'DRISCOLL:** If a person doesn't agree with the deputy minister's decision, what avenues are available to them after that?

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

**E. LOVELESS:** If I can kind of go back to the question you had before and kind of flow into this one as well. An applicant for an appeal would submit to the deputy minister a form summarizing their issue, becoming the applicant, including the applicable decision being appealed and a written argument, along with relevant documentation rationalizing the appeal. That's kind of into the door and that's the process.

To your second question, then they have the option to the court.

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

**L. O'DRISCOLL:** How are appeals dealt with in other provinces? Would you be able to tell us that?

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

**E. LOVELESS:** I think the process is very similar to Nova Scotia because with any legislation in terms of cleaning up or repealing, there's always that jurisdictional scan and officials discussing with other provinces and stuff. I know we had discussions around this and I know it was comparable, I guess, to – well, a lot of it is

compared to other provinces but I think Nova Scotia was one that was directly in terms of the similarities, if I could add.

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

**L. O'DRISCOLL:** Who was consulted on this decision and what did the people impacted in the financial services industry have to say about this? Were they consulted as well?

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

**E. LOVELESS:** In terms of the consultation piece, there's always communication with the – if we can call it the industry in this particular situation, I guess, but no applicants coming since 2015 and no advocacy from the industries not to do this; we certainly didn't hear that.

But there's no specific consultation, I guess, with industry. Keeping in mind that we're still maintaining the right to appeal, even though we're repealing the board, but moving it into the department being overseen by the deputy minister.

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

**L. O'DRISCOLL:** I have one other question then.

Were these board members paid board members or is it something voluntary? I don't know if it's a good question to ask or not, but I'm sitting here thinking, okay, do they go somewhere else in your department? I'm not sure, that's why I'm asking.

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

**E. LOVELESS:** Thank you for the question.

That's around the remuneration piece and that's according to the guidelines for ABCs. If a board were to meet, then they would be

paid – words from the department – per diem as a level two, and if they travel for a meeting, those expenses would also be reimbursed.

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

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

When making an appeal under the new process to the deputy minister, will it be a direct decision from the deputy minister, or will it be an internal committee in that department that would review the application for an appeal?

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

**E. LOVELESS:** Yeah, I don't think I misspeak here in terms of who's involved, but it would be the deputy minister only.

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

**J. BROWN:** When you were drafting this change to repeal the board, were there any concerns brought up of the deputy minister making a decision of an appeal from another internal member of the department, like, appealing a decision that was already made by the department? Was there any concerns about conflict there?

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

**E. LOVELESS:** Not that I'm aware of, and staff confirms there was no concerns.

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

**J. BROWN:** Are there any other places inside that department or in government where appeals are made to the deputy minister, as it is right now, versus an appeals board?

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

**E. LOVELESS:** I can't speak to other departments. I'm just trying to put my hat on for other departments as well, but this department is all I can speak to at this time. But in reference to a different division, that's the Occupational Health and Safety Division in the department, then that appeal goes directly to the ADM responsible.

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

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

I know you just mentioned Nova Scotia as the very similar one. Is there any other jurisdiction that you're aware of that uses a similar model as this?

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

**E. LOVELESS:** Yeah, I'm just asking just to confirm that in terms of Nova Scotia and I'm being told no.

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

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

If the individual who makes the appeal is not happy with their appeal from the deputy minister, am I correct in saying that the next course of action would be litigation?

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

**E. LOVELESS:** That would mean courts.

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

**J. BROWN:** Are there any concerns about moving from an arm's-length appeals process and going through the department and, then, after that, forcing people into the court system? Are there any concerns from

the department or any other concerns about that avenue?

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

**E. LOVELESS:** No, I don't think there are. The intent of what we're doing here is to – hopefully, it doesn't go to the court system, but that's something that we don't have control of because it depends on the process of the appeals that's going to happen with the deputy minister.

I think I sit here with lots of comfort that the process going to the deputy minister will be well served.

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

**P. LANE:** Thank you.

Minister, just so that I make sure I'm 100 per cent sure on this, listening to some of the questioning here, my understanding is that currently you would go to the board. That's going to be replaced with the deputy minister. It would be the board, then, as a second recourse, appeal to court; now it's the minister, second recourse, the court.

So nothing has changed in terms of the appeal to the court. That was always there. The only thing that's changed is that instead of going to this three-person panel, or whatever it was, he'll just go to the deputy minister. Other than that, nothing has changed, right?

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

**E. LOVELESS:** Well, what's changing here is there's a board that was inactive and we're doing away with that board, but the process, yes, the opportunity is still there. If you're an applicant and you're coming in, that process is still there for you. It's just at a different level, it's with a deputy minister and, yes, the court piece is still there.

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

**P. LANE:** Yes, so basically nothing has changed except it's an individual, being the deputy minister, versus the board. The court was always there and it's still there, so nothing has changed in that regard, in terms of process.

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

**E. LOVELESS:** Yes, well, I think there's a lot that has changed here. I mean, you're on your feet every day talking about less red tape, so I think we're hearing that this is less red tape.

In terms of the board, the process is still there with protection for consumers, as such. So that's through your lens and through my lens. I don't know why you're screwing up your eyebrows there, but the process –

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

**P. LANE:** I'm just trying to understand where you're coming from now, because I'm not being critical of the legislation. I'm not being critical of getting rid of red tape. I'm just simply clarifying the fact that before we made this change, if there was an individual that had a problem with financial services industry or the insurance industry and so on, they would go and make an appeal to this particular appeal board. Then if the appeal board didn't give them the answer they wanted, or they weren't satisfied with it, they could go to the court.

Under this change, the same thing happens, except they go to the deputy minister. They get a decision from the deputy minister, no different than they would have gotten from the appeal board, and if they're not satisfied then they can go to court. So in terms of the process itself, all we're doing is we're swapping out appeal board for deputy

minister. There's no loss of opportunity to appeal, there's no added step of court or taken away court.

Nothing has changed from the perspective of the process other than we're swapping committee for an individual deputy minister, which I don't have a problem with. That's why I guess I was moving my eyebrows, as you said, when you were answering because it seemed like you were kind of inferring that somehow I had a problem with what you're doing, which I don't.

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

**E. LOVELESS:** Yes, because your reaction was you looked like you were confused. But what you just said – you want to hear me say it – you are correct.

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

**P. LANE:** That's exactly what I wanted to hear. That's perfect.

I guess my final question then is just around, again, the remuneration piece. I think you said there it's a tier II. This board doesn't get paid unless they meet, I believe, is what you said and I think that's how it would work. So given the fact they haven't met – this group's been there for three years, then I guess they haven't gotten paid anything in three years, other than if they had a meeting to do their annual report or whatever else they might do. But in terms of appeals and so on, there's been no money out the door from the taxpayer to pay this board.

Would that be correct?

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

**E. LOVELESS:** That is correct, but to go back, because as you have discussions around this you asked what's the difference before now. I think one notable difference

would be the timelines now, we anticipate, to be faster, which is a good thing. That's noted here in terms of the review, 90 days and 30 days, that was referenced by the Member for Ferryland.

I guess that's an improvement. We're looking forward to seeing the results of what this is doing here today.

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

**P. LANE:** I thank the minister for that and I agree it is an improvement, if we're going to go from 90 to 30. Like I said, I'm all over this; this is great. I'm not knocking it at all.

Just wondering, though, except for the fact that they haven't had meetings to hear any appeals – and again, I'm not knocking it because of the process that was set up for the right reason and everything. I'm just, out of curiosity, wondering, this board, how many times would they have met doing non-appeal business that we would have been paying for, if you know what I'm saying.

Would that have had one or two meetings a year or something doing non-appeal stuff, like doing reports? If we were to ask how much money was charged out to this board over the last three years that these individuals are here, would you have a number or some idea as to?

**E. LOVELESS:** (Inaudible.)

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

**P. LANE:** Okay, so when you referenced earlier about every year or whatever it is they have to do some kind of a – do they have to do some kind of a report or do something other than appeal? If there was no appeal, they would never have met for anything. Is that what you're telling me?

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

**E. LOVELESS:** Let me be clear, zero dollars. And staff meet to do those reports. It's a requirement to have it done because of the legislative body. It's required to be done and signed off on. But those reports have been inactive reports, but it's still a requirement for them to be written and it's done by staff.

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

**P. LANE:** Thank you for the clarification. I thought when you were explaining it earlier, the impression I got, is that it was the actual board that was getting together to do these reports, not staff. So it's cost us nothing at all and now it's never going to cost us anything in terms of this process because it won't exist any longer.

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

**E. LOVELESS:** Well, I'm happy that I clarified that for you because it seems to be a week that I had to clarify a lot of stuff.

Thank you.

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

**P. LANE:** I appreciate that, Minister. Just that if I'm going to vote on something, I want to have the facts and I appreciate you providing them.

Thank you.

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

**E. LOVELESS:** Absolutely and that's what this process is all about. I think this is a good thing and that's what I just heard from you.

I know your colleague is nodding his head and saying, you're doing a good job, Minister. I appreciate that.

**CHAIR:** Seeing no further speakers, shall the motion carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, clause 1 carried.

**CLERK:** Clauses 2 through 109 inclusive.

**CHAIR:** Shall clauses 2 through 109 inclusive carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, clauses 2 through 109 carried.

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

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, enacting clause carried.

**CLERK:** A bill, An Act to Repeal the Financial Services Appeal Board Act and to Amend Various Acts of the Province to Eliminate Appeals to the Financial Services Appeal Board. (Bill 96)

**CHAIR:** Shall the title carry?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

On motion, title carried.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Carried.

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

**CHAIR:** The Deputy Government House Leader.

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

I move that the Committee rise and report Bill 96 carried without amendment.

**CHAIR:** The motion is that the Committee rise and report Bill 96 carried without amendment.

Shall the motion carry?

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. Member for Placentia - St. Mary's and Chair of the Committee of the Whole.

**S. GAMBIN-WALSH:** Speaker, the Committee of the Whole has considered the matters to them referred and have directed me to report Bill 96, An Act to Repeal the Financial Services Appeal Board Act and to Amend Various Acts of the Province to Eliminate Appeals to the Financial Services Appeal Board carried without amendment.

**SPEAKER:** The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed that Bill 96 be carried without amendment.

When shall the report be received?

**L. DEMPSTER:** Now.

**SPEAKER:** Now.

When shall the bill be read a third time?

**L. DEMPSTER:** Tomorrow.

**SPEAKER:** Tomorrow.

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

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

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

I call from the Order Paper, Order 13, Bill 95, second reading, An Act to Amend the Public Safety Act. That is seconded by the Minister of Digital Government and Service NL.

**SPEAKER:** It is moved and seconded that Bill 95, An Act to Amend the Public Safety Act, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Public Safety Act." (Bill 95)

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

**E. LOVELESS:** Here we go again; round two.

Mr. Speaker, it goes without saying that safety is always top of mind for the provincial government, and the *Public Safety Act* is one way we can achieve this.

The *Public Safety Act* governs the safe use and operation of key infrastructure in Newfoundland and Labrador, including elevating devices, amusement rides, pressure systems and electrical systems. The purpose of the bill being presented here today specifically relates to elevating devices and amusement rides. This is passenger and service elevators, escalators, person and material lifts, wind turbine lifts, grocery store lifts, stair lifts, vertical platform lifts, amusement rides, ski lifts and ziplines.

Now, Mr. Speaker, to note, there are some exceptions listed in Schedule B of the regulations. For example, elevators in private dwelling houses occupied or constructed to be occupied as a separate dwelling by one person or by a family unit are exempt.

Through the department's Engineering and Inspections Division, the chief inspector of amusement rides and elevating devices has a team of three permanent staff, called elevating device inspectors, who are responsible for administering and enforcing the amusement rides and elevating devices regulations.

These positions, I stress, Mr. Speaker, are highly technical in nature and are responsible for registering and certifying devices and conducting inspections during initial installation and after alterations before the devices are put back into operation.

Inspections are also conducted in response to complaints during an investigation, when

an incident occurs and is part of the certification renewal process, which is, generally, required once a year, depending on the type of device.

The department's elevating device inspectors, Mr. Speaker, are responsible for all elevating devices and amusement rides throughout the entire province, which are currently about 1,878. They travel extensively to ensure these devices are operating safely.

This type of work requires a comprehensive understanding of a wide variety of national codes and standards. Our elevating device inspectors do this work to the best of their ability every day with the resources available to them. For that, we thank them for their hard work and commitment to the safety of Newfoundlanders and Labradorians.

The department, in the last week, has been challenged to keep up with the demand for inspections; a problem that is experienced by many jurisdictions throughout the country. There is an increasing demand for these types of devices given the aging demographics of the population. The devices currently in use are also aging, increasing the need for repairs and alterations. These factors are contributing to the high demand for these particular inspections.

As I said before, these positions are highly technical in nature, so the education and the directly related experience required to do this job is a tough combination to find, and not just in this industry. There are not a lot of qualified individuals working in the local industry and of those who do, the private sector pays – I use the word – handsomely.

One of the three elevating device inspector positions was only recently filled when the previous incumbent retired. This position had remained vacant for about three years, despite the extensive recruitment strategies

used including a market adjustment to top up the annual salary.

We're not alone in the struggle to recruit or retain or to keep up with the increasing demand for inspections. As noted, most other jurisdictions are and our staff have heard about their similar challenges.

So we're taking a page from the playbooks of our jurisdictional colleagues in bringing forward Bill 95, An Act to Amend The Public Safety Act. If approved, Bill 95 would introduce new a new licensing regime which would necessitate the licensing of those mechanics and contractors already working in the field to install, test, maintain and repair these devices.

With these changes, the licensing of mechanics, contractors and inspectors would be authorized under the act and the chief inspector would be able to authorize a person to conduct inspections on behalf of the province. These changes will align our province with the rest of the country.

Besides Newfoundland and Labrador, Manitoba is the only Canadian province that currently does not license industry contractors and mechanics. The department consulted with industry, companies like Otis and TKE, on the proposed licensing regime. They are familiar with the approach that we are proposing, and it is similar to what is already happening in many jurisdictions.

The proposed licensing regime under the *Public Safety Act* and *Amusement Rides and Elevating Devices Regulations* is expected to elevate the current inspection backlog, which we're all interested in seeing, support businesses and support overall public safety.

These changes would not only enhance public safety, Mr. Speaker, by providing greater oversight of the industry, but also provide the opportunity to address overdue inspections.

Bill 95 also proposes another change, which is to eliminate the Public Safety Appeal Board and, in its stead, establish a right of appeal to the deputy minister of Digital Government and Service NL. The right of appeal would be applicable to decisions made by the chief inspector of amusement rides and elevating devices, the chief inspector for boiler pressure and compressed gas systems, and the chief inspector for electrical systems.

As a part – and to appreciate the process – the first level of appeal is to the chief inspector as described in section 24 of the *Public Safety Act* and that initial appeal process is to remain unchanged. Appeals may be submitted to the chief inspector within seven days of the action. The chief inspector then is to start the investigation within 24 hours of receiving the appeal and may confirm, revoke, or vary the action.

Established under the *Public Safety Act* in 1997, the purpose of the Public Safety Appeal Board was to hear appeals, Mr. Speaker, from persons aggrieved by an action confirmed, revoked or varied by a chief inspector, or a notice, decision, or order of a chief inspector – similar to what we just talked about in terms of process in the previous bill.

So in terms of process, after hearing an appeal, the board may confirm, revoke, or suspend for a stated period of time, amend the action that is subject of the appeal or impose other terms that it considers necessary. The Public Safety Appeal Board currently consists of a chairperson and three board members, all of whose terms have expired, and one vacancy. Members are selected, again, through the Independent Appointments Commission process.

As I mentioned in my previous notes on the other bill, the board is considered a category 3 organization under the *Transparency and Accountability Act* and is required to produce three-year activity plans

and annual reports for tabling in the House of Assembly – the same process.

The Public Safety Appeal Board has not received any applications for appeals since at least 2009 or 2010. This lack of activity over the past number of years brings into question the necessity of the board, which is the discussion we had on the previous board.

So maintaining this board, despite the lack of activity, would require continued allocations, as I said, from the department, where they could be used in other areas. In addition, resources would continue to be allocated for drafting and reviewing three-year activity plans and annual reports for an inactive board by the staff members, as I answered for the question from the Member opposite. We are therefore proposing to eliminate the Public Safety Appeal Board to make more efficient use of resources and, as we all have talked about, reducing red tape.

Let me make it clear, Mr. Speaker, this would not remove a person's right to appeal. This right would remain and be maintained. The department would remain accountable by implementing an effective and efficient appeals process that reduces administrative burden. If approved, the deputy minister of the department would be responsible for hearing and considering any appeals of the decisions of the chief inspector made under section 24 of the act.

An applicant for an appeal would submit to the deputy minister – the same process, similar to the one before – a form summarizing their issue, including the applicable decision being appealed and a written argument, along with relevant documentation, rationalization of the appeal, the same for this, from 90 days to 30 days. The deputy minister will have the right for confirmation, revoking and varying the matter under appeal, and provide written reasons for the decision to both the

applicant and the chief inspector within 30 days of completing that review.

To continue on with the process, a person aggrieved by a decision of the deputy minister can appeal to the Supreme Court, a right they would also have with respect to decision of the Appeal Board. So nothing changing, really very similar to the questions we had asked in the previous bill.

Again, I'd like to repeat that the deputy minister does not have a role in the administrative or operation decisions made by the chief inspectors. The deputy minister would not have any involvement, previous knowledge or perceived bias of the specific decisions being appealed. Therefore, there will be no conflict. I'd like to thank those individuals that were on that board, Mr. Speaker.

In terms of processes, in terms of drafting legislation, we are again updating the act to incorporate gender-neutral language and to replace all references to the Trial Division with the Supreme Court.

Much of this bill, Mr. Speaker, will come into force upon Royal Assent, including the new appeals process. Provisions related to the new licensing regime would come into force at a later date, after the regulations are published in the Gazette and local industry has sufficient time to prepare for compliance. I end it there and look forward to comments on the other side and then, therefore, moving into questions.

Thank you, Mr. Speaker.

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

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

Again, it's a pleasure to get up and speak to Bill 95 and some of these issues that we've been dealing with along the way. I thank the department for the briefing when we had that last week.

This *Public Safety Act* is introducing a licensing system for elevating device inspections and amusement rides. This will give the ability for people to be licensed to carry out inspections. So looking at this, I'm just wondering from the questions that we asked a couple of weeks ago regarding elevators, is this where this comes from? Is this where this stemmed from? It's a fair question I think.

Abolishing the appeals board and replacing it with a new appeal process. When we spoke and asked the question about inspections – 500 elevator inspections that are behind. That's a grave concern. I'm just wondering in the department what other things that are in there that need inspections that are behind. That's concerning. I mean that's a question for safety, obviously. We know that. We're not trying to have scare tactics; that's not the idea, but our job is to ask these questions. It's an important issue for sure.

With 500 inspections – I worked in a car dealership. Well, it was before a car dealership. I worked at a heavy equipment facility and I was responsible for maintenance. We had about 60 to 70 pieces of maintenance that we were responsible for – tractors, trailers and forklifts. Maintenance was of utmost importance.

I'm not saying I'm an expert on it because there are all kinds of ways to get things done, but I know that 52 weeks in a year. I would set up my calendar; January 1 would be week one, then week two and right on to week 52. With 60 pieces of equipment, we'd have all the stock numbers. We could go in and in week one I'd know, okay, I had this many stock numbers. Go look at the calendar and pick out the stock numbers that needed to be inspected. They were in red and once they went late, we marked them in black.

Now, my responsibility was to make sure that I reached out to all these people who had these vehicles, because they were

being used on a daily basis as well. So we would schedule a replacement vehicle for them while we did the inspections so that we could get things moving and follow up on inspections, whether it be grease and oils, whether it be trailers that you checked or electrical systems.

That didn't include breakdowns in between, obviously. I mean the same with elevators out here; there are breakdowns in between and then there are inspections. So it's very important to have this stuff done. That's where it's a concern. Five hundred inspections are a lot to have behind. Obviously, you just got into this department in July or August, I'm not sure when. It didn't happen overnight, but it is very concerning that there are 500 inspections.

So back to when I was at that, I was responsible only for 60. That was a job. I have to tell you that was a big job to do, but there has to be some system in place to be able to do this. Whether you pick out week 20, whatever week this is – 25 – you go look at the list when they were done last. If they're due a year ago, they're not all going to be due on January 1; some are due in February, some are due in March. So you go pick out all the ones that are in certain months and now we have a month to get them done. You pick them a month ahead of time to make sure that you get them to be able to do it.

So it is important for people to understand that 500 inspections – and to be truthful, when we got it back I was shocked that there were that many and just shocked how big Service NL is. I know I have been in this department before as a critic role and it's very big. Sometimes you hear stuff that's on the radio and stuff that happened within communities. You might come in and you find out that it's in the department that you have a critic role for and that you didn't even realize it until it happened. That has happened. I remember it happened with driver's licences down in Labrador when that happened at the time. I read the story

and never made no more to it until I found out at the time that I was responsible to ask those questions.

So they are some of the things that we are concerned about. Even when you spoke I had thought about it this morning when I was coming out: zip lines. How do you inspect those? I was just thinking in my mind: how do you get out to inspect them? They're swinging along in the middle of the air. Do the cables come down to be inspected? Not that it's the discussion here, but you still sit there and think how they're inspected.

Again, I was listening to the minister speak – ski lifts came to my mind when you said zip lines. So ski lifts, again, they're going – not this time of the year, obviously, but now is the time of the year that they should be inspected. I'm not sure the process, if it's every year, but I know elevators are every year because it was a question we asked. Are they every year? I would say they're every year, but when is the time to inspect them? How much work needs to be done? All that is a planning process. So to catch up to get behind 500 elevator inspections – and they might be pretty simple but I don't think they're that easy. No, I wouldn't say they're simple.

I did have somebody message me when I asked a question in the House of Assembly. His one concern was that the rate of pay for people that are doing these inspections – and I'm sure you're up against that as a government to bring people in to do it and it's costly, but that's not going to stop you from doing them. Getting the right people to be able to do it is certainly something else. That was his concern. He said he'd certainly apply for a job if the pay was there. I don't know what the rate of pay is in that field; I certainly have no idea what they're charging to do that.

But my one concern would be: Is the person that's repairing the elevators, as an example, doing the inspections as well? I'm

not saying it's a concern, but if you're repairing and then you've got to go inspect them, is there somebody else coming in behind you as an inspector? I mean, we have people who do electrical work. They have apprentices, and then the person that's really responsible when it goes to get inspected is the person that got the red seal. He will go look at the work to make sure it's done before it's all said and done.

Again, I worked in an automobile dealership and there are apprentices who go in there and they can do all kinds of mechanic work, but they can't do inspections on cars until they're a journeyman mechanic. So I don't know if that applies to, again, using elevators as an example, but it's certainly a good example that an apprentice can't write an inspection on a car compared to a person that's doing repairs because they can all do repairs. But that's just an example of some of the stuff that I thought about.

You did say, I think, when you spoke, that elevators in private dwellings – are they exempt from inspections? That's a question I'll probably ask in Committee, but we'll get to that.

Again, going back to it, currently the chief inspector oversees three elevator inspectors. So you're telling me that they only have three elevator inspectors right now. That's what we have in the government, in the department who are responsible for inspecting all elevating devices. That's a lot of elevating devices. Again, you only touched on the subject. I'm sure there are more there besides. This includes elevators, escalators, amusement rides – and I did have a story from the summer and it may be before you were in. Tomas Amusements had an issue down on their site, wherever they had that to. I think it was down in Torbay and they had an incident down there that a cable let go or – the story is there. But, again, the first thing comes to your mind, how often is that inspected? It's a big question.

I often thought, as I don't get on the rides – I'm not a big fan of rides and rollercoasters – but you go down to Florida and you go on those rides – I always thought, when I go down there, when do they inspect them? They're steady belt from daylight until dawn and every day of the week. Sometimes you get on some of them, they're old and rickety and you can hear them.

But on these rides, these ones here, some things happen. There's no doubt about that. There are accidents that happen. You can't prevent it. When I was in the industry in a car dealership, if there was no engine light on when they came in but, when they left, the engine light came on, it's your fault because it was in the garage and it wasn't on when it went in. That just happens. A wheel bearing can give out going down the road after you leave a dealership. Even though it's inspected, something could just let go. So that kind of stuff can happen and that's just the way it happens.

Touching on other stuff, just to go back here, the change in legislation will allow people outside government to be licensed to inspect elevating devices and then submit a written report to the chief inspector's office. I did hear the minister say that.

It's pretty similar to the bill that we just did. When an individual or business does not agree with the decision of an inspector, elevator, boiler, electrical or whatever the case may be, they can appeal to the chief inspector. If they do not agree with the decision of the chief inspector, they're entitled to a future appeal. Previously, this was to an appeal board but will now be to the deputy minister.

Again, that might be cutting down some red tape and it makes it quicker. That's something that we're all about. You hear horror stories of people waiting for inspections and waiting for inspectors. If we can cut down that process, then that's what it should be about.

Right now, I have a few questions when we do get into Committee, but I'll certainly have lots of questions when we get in there.

Thank you.

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

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

To follow up with my colleague for Ferryland there, we do have some concerns about the changes in the inspection process. We understand that us and Manitoba are the only jurisdictions that have government-only inspectors and that these changes will allow the chief inspector to allow contractors to do inspecting.

We do have some questions on that process and how that will work. The minister did mention about the rate of pay. Coming from Labrador West, we understand money walks. We understand a lot of this when it comes to the recruitment it is about the pay. A lot of these elevator guys are making a good wage in the private industry.

This also translates over to a lot of other job classifications inside the provincial system in the public service. But we do have a lot of concerns about the process on how contracting out inspections will work and who will be able to do them, so we do have some questions in Committee about that.

Once again, I also will bring up my concerns about removing these appeal boards and moving them into having the deputy minister doing that work versus an arms-length board. Once again, I'll have questions on that because we do have some concerns about that.

Self-inspections and self-regulations is a concern, but also we do have the fear that this move will eventually lead to the complete privatization of the inspection division of Service NL as an option. We're really concerned about the privatization of

those primary functions of the provincial government. But we do have some questions there when we come to Committee.

Thank you.

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

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

I do want to comment on this because I was contacted by an elevator inspector, I guess, but one who had considered it and I can't help but thinking that this legislation that's brought in is to solve a problem of government's own making.

Certainly, Speaker, the person who has this background in elevators said, wanted to share some details on elevator inspections or the lack of elevator inspections. There are handicap lifts, stair lifts and escalators to add to this list. It's quite a bit.

This person was offered an inspector position a while back but the wages were so low, not even comparable to private industry, so they declined. But while he was in the industry saw that inspectors were stretched thin and, with so many additional devices installed annually, it was a losing battle. It seemed like the government dropped the ball or ignored the fact that those annual inspections needed to be carried out to provide the riding public the safe operation of each device.

But with the wage package that this person was offered, government would have a hard time to find a skilled inspector. And he did say that if indeed the salary compensation was on par with the private industry, it's something that he would consider again.

In some ways, it seems to be the common problem in a lot of government services, when it comes to the compensation about recruitment and retention. The government cannot recruit and probably cannot retain

because the compensation package is so inadequate.

Now we're reaching out, more or less, to contract this out. I don't know if that's going to cost more or not.

**AN HON. MEMBER:** It's going to cost more, cost plus now.

**J. DINN:** It's going to be cost plus. It's going to be like the agency nurses, I guess, in some ways.

Wouldn't it be better then to adjust the compensation package and to make it more attractive for people to work in the department to do this work? As this person pointed out, it's not just elevators, lifts, the whole bit and the amusement rides, you name it.

Realizing that the work has increased, wouldn't it be better to make sure we had the resources within government? It would be cheaper. It would probably be a lot more efficient than to try to fix this through legislation and now we're into the issuing of contracts.

Certainly, from a person who would consider working for a government in this area, if indeed the compensation package was comparable, but until they fix that problem, I guess we're probably going to end up into a situation, similar to the travel nurses, where we're going to end up paying out a lot more to do the work that a public servant could do, if we had enough of them.

Thank you, Speaker.

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

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

I'm not going to take very long on this. I served on the board of directors for White Hills and I believe this is the same group that would inspect the ski lifts and whatnot.

Now, there's another group of inspectors that are LPI, MPI, non-destructive testing, that do cranes and that type of thing. Some of this type of testing has to happen on the elevators.

What I would say is that both my colleagues highlighted the fact of pay being an issue. It's very systemic across government. We look now at Transportation and Infrastructure and heavy equipment mechanics, they just did a wage adjustment of \$12,000 to bring them online and they still haven't completed the review; LPNs and others that are around, also the same thing.

I guess my big problem with this is that, first off, you will now have a private contractor who will do this work on a cost-plus. Whether that's 10 per cent above market, or whatever it is, we'll pay more to get it done. There's zero question about it.

Obviously, there's an amount of work that has to happen here. If there are 500 elevators, escalators, lifting equipment – and I don't think people realize, if you're in a building where you have – I think the reference is – a dumb waiter, they have to be inspected. So there are a lot of different things out there that have to be inspected.

I think we need to look at how we pay people to do these jobs; that's the first thing. The second thing is, we need to start to get apprentices working in fields like this. I mean, there are plenty of young people out there who would love an opportunity to do something like this, and I don't hear any reference to that. So it's an avenue we can look at.

Again, I'm not going to say I know what the qualifications are, but I know these inspectors have to have the ability to do MPI, LPI, all different types of non-destructive testing. The same as they do on all welds, all lifting equipment, helicopters, airplanes, any structure like that all has to have an annual inspection and those annual inspections are done in that light.

But people get in elevators every day and it's really unacceptable that they are not inspected. Whether they are government elevators or in private buildings, they need to be inspected. The question I would ask is that we know that there's a bunch of elevators that haven't been inspected, but if I'm in private business – I mean, right now there's a substantial amount of work happening at White Hills in order to make sure that these lifts are certified. It costs a lot of money to do and it's government inspectors that are doing it. The same inspectors that would do the inspections on these elevators.

So if we have elevators inside our own system that aren't being inspected, is it more important to shut businesses down than it is to do that? I don't know what the risk assessment is to decide what we inspect and what we don't inspect.

I know, for a fact, that Marble Mountain and White Hills get inspected every year, annually. They can't open and they've been shut down because of it, anything from birdcaging in the cable to the access to get up the poles, all that kind of stuff.

So I'd urge the minister, no one has any issue with this legislation, but I would say if we farm this out, totally, privately to people that are working on the elevators and allow them to inspect their own work, which is really unheard of in industry. It's not how it works, right? When you're talking about this type of stuff, it has to pass certain tests and the individual that fixes it isn't the individual that tests it.

It sounds to me like this legislation is going that way. Maybe the minister will answer that when he gets an opportunity to stand up, but we've really got to start looking internally for a way to fix things, not just put it outside.

On that note, I'll sit.

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

**SPEAKER:** Seeing no other speakers, if the Minister of Digital Government and Service NL speaks now, he will close debate.

The hon. the Minister of Digital Government and Service NL.

**E. LOVELESS:** Thank you, Mr. Speaker.

I thank the Members opposite for their comments. I know everybody in this House – listen, we want to see improvement in terms of safety in the inspections around all this. If I can use the analogy, we're looking to put tools in the toolbox in order to address the backlog.

I say to the Member for Ferryland, no, it is not acceptable that we have 500, but what we're attempting to do – and I don't disagree with you in terms of the private pays more. There's no doubt about it. That's why we've asked for a market adjustment and that will be coming shortly down the road.

I know, I've had an individual reach out to me that would like to work within government. I asked him to provide me what it would take, I guess, to bring him in. It's probably the same person that –

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

**E. LOVELESS:** Yeah, so that's not lost on me in terms of what we pay.

It's no difference than when I was in TI. So it's a challenge across board. It's not just for us and it's not to say it as just a statement that: Oh, it's happening in Nova Scotia. It's happening in New Brunswick. It's happening in Manitoba. They're all challenges. There's no doubt about it, but it's a real challenge when we know that we need to take a look at that financial piece, and we are. That is a discussion I've had in every department I have been, Mr. Speaker.

The Member for Ferryland talked about a grave concern for safety. Listen, absolutely

100 per cent, the three full positions. The Member for Terra Nova also talked about the work that they do. It's not just a visual inspection. It is intensive work and a speciality. The department has been, over the last several years, trying to recruit. I'm not using COVID as an excuse, but COVID has been a reality in terms of turning this world around in terms of playing catch-up, whether that's in health care or wherever. I see what's going on in terms of these positions.

I think the Member for Ferryland talked about the installers. It could be an electrician doing the work, because I spent seven years building houses and selling them and everything. The electrician is going to do his work, but somebody has to inspect it. The electrician is not wanting that the inspector is going to come in and turn his work down. So these workers take their work very seriously because what they're doing here is public safety. There is nobody that walks away from it and says, I'm not 100 per cent okay with that; nobody does. We thank them for all that they do.

These three people, the third person that is soon going to be out in the field doing this work, I know the enormous responsibility they have on them because they travel. Well, we know the challenges in Newfoundland and Labrador and these inspections are not just a stamp of approval.

The Member for Labrador West talks about his difficulty with moving to the deputy minister level, but I don't see it. He has a problem with it, but I guess in terms of the process when it happens, time will tell. I believe that we are reducing red tape, but we're not taking away what the process is for those that have a right to put their appeal in.

I reference again the Member for Terra Nova talking about speciality pay is systemic across government. Yes, we are continuously looking at it. Apprentices working here: absolutely. That was

something that I've discussed within the department and will continue to discuss because I believe that going that route, that's when you can hook workers to the industry. That's very important.

No, I say to the Member for Terra Nova, this is not a form of totally driving this to the private sector. That's not our intent here. I think it's to certainly deal with that backlog but, from a big scope of things, it's to see if what we're doing here today will prove to be successful a year down the road or however long down the road. So that's the intent. It's safe to say any department that I'm in, if we feel that we're going to put forward something that's not working, take another look at it. The industry will tell us that.

In terms of risk assessment, what they do is high risk and they provide public safety to us. We're trying to attempt that here today to keep the public of Newfoundland and Labrador safe, whether they're ziplining or they're on an elevator.

I'll leave it at that, Mr. Speaker, and look forward to the questions or debate further.

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

The motion is that Bill 95 be now read a second time.

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

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

**CLERK:** A bill, An Act to Amend the Public Safety Act. (Bill 95)

**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 Public Safety Act," read a second time, ordered referred to a Committee of the Whole presently, by leave. (Bill 95)

**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 95, An Act to Amend the Public Safety Act.

**SPEAKER:** Secunder for that motion?

**L. DEMPSTER:** Seconded by the Minister of Digital Government and Service NL.

**SPEAKER:** It is moved and seconded that I do now leave the Chair for the House to resolve itself into Committee of the Whole to consider Bill 95.

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 95, An Act to Amend the Public Safety Act.

A bill, "An Act to Amend the Public Safety Act." (Bill 95)

**CLERK:** Clause 1.

**CHAIR:** Shall clause 1 carry?

The hon. the Member for Ferryland.

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

There are over 500 elevator inspections that are due. How long will it take them to be brought up to date?

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

**E. LOVELESS:** Thank you, Chair.

That's an important question, but not one that I have the answer to. But the attempts to reduce that, I think I've tried to answer it before around we now have the three full inspectors. Now that we're moving forward with this today – and it's not to give it to the private industry, but for the private industry contractors, their services to help us deal with that backlog. Because even though there are 500 in the backlog, there are many that are up to date as well.

You have your hospitals, you have your long-term care facilities, schools, that is a priority for us and will continue to be for us in terms of what we inspect. But I think it's quite evident here today that we all recognize the enormity of the responsibility of these inspectors. But I believe we're moving in the right direction in terms of dealing with that backlog.

So hopefully I'm here next year to tell you that I've got good news for you, to the Member for Ferryland, we've reduced that. By how much, I hope the number would be zero.

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

**L. O'DRISCOLL:** Would you be planning on starting with the oldest ones first? Is that a process that you're going to try to start? I'm just asking that question because there are some there since 2018, 2019. It would be nice to get them out of the way first. That's just a question.

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

**E. LOVELESS:** Yeah, I guess for me it's not that – I don't micromanage that piece. I mean, it's not for me to determine. But I guess they're all from a safety perspective. From a departmental perspective from the division and determining what will be – I recognize that because we inspect the elevators. But my colleague, the Department of Transportation and Infrastructure, they do the work on these and the certificates, we provide them to them. We've done the inspections.

But your answer to the oldest, I guess it's determined, the importance is – and I've said we go to the hospitals, we go to long-term care facilities and we go to schools, those are the most important. Beyond that, that's determined from an important lens by staff, and I don't know what else to say to that. I'll leave it to them and certainly their qualifications in determining who would be first. If I got anything further that I can add to that, I'll certainly provide it to the Member.

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

**L. O'DRISCOLL:** Do you plan on trying to hire more inspectors there besides going outside to ask – do you plan on hiring some people, whether it be apprentices come in to learn how to do repairs and then learn how to do inspections? Do you plan on hiring people to be able to do this job?

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

**E. LOVELESS:** I absolutely would, but just reminding the House here that we're going through the process of a market adjustment. I think that market adjustment, and even what we're doing here today, the most important thing, I think, is to delve into the reality of this backlog. It's realistic, no matter who is sitting in my chair, that the recruitment piece is difficult because of the specialty of those positions.

It's difficult, but that's the challenge. That's the challenge that we're tasked with. I'm hoping that the market adjustment piece will help us in doing that. I know, in terms of that conversation with this individual, that the current pay is not within his acceptance of working for government, so he continues elsewhere. But certainly I'll keep the open dialogue with him. So if we can find the right fit, I hope that I can be able to say to you we're hiring more.

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

**L. O'DRISCOLL:** Well, it's certainly important that we do that, and starting with apprentices, maybe to repairs. It's the same with car dealerships, you start with apprentices and then they go to school and come back, and go to school and come back, and next thing you know they're hired as a journeyman. That's a process that certainly needs to be taken. Again, in the industry, in heavy equipment as well, you see – well it was a long time ago but when the oil industry was booming, it was hard for the heavy equipment departments here in Newfoundland and Labrador to keep their technicians because the pay was so high in the oil industry that they were gone. That's what we're up against as a government.

I mean, the Department of Transportation and Infrastructure as well, we all deal with depots, and we deal with technicians that are there, and I've seen some apprentices in those as well. The problem is the pay level – I don't know how we do it. I know they've got a union, but there's a pay level there that if we don't have them, then what

we've got is people that are getting ready to retire, not a whole lot of young people there, so it's the same in every department. So sometimes we've got to start adjusting the pay to make this happen is one of the concerns.

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

**E. LOVELESS:** That's certainly not lost on me and I don't think it's lost on this government or even governments in other jurisdictions as well. I think recognize that. But that third inspector that we have is an apprentice. So it's happening now. The third one that will be hired, working out in the field, he is an apprentice. So that process is happening right now.

I agree with you, it's a great process because they go through their school, work, then school, work and hook on to it. Hopefully, in a short period of time I'll be saying there's more that we've gone to and they that are coming to work for us, internally; not necessarily on the outside.

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

**L. O'DRISCOLL:** What is the number? Are there any vacancies there right now? How many are you looking to have?

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

**E. LOVELESS:** Well, the number, I know it seems small, but the complement of staff is three that we currently have within government. Recognizing the challenges that we have had with the recruitment piece, that's why we're here today to look on the outside. Not as the solution, the be-all solution that we're here today, but I believe it's a level of support to even help those three that are tasked with the enormous responsibility of these inspections in the province.

Again, I'm looking forward to seeing the results of what we're trying to do here today.

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

**L. O'DRISCOLL:** Okay, we're 500 inspections behind. How many have to be done a year? I know it's 500 behind that we're late; how many do we have to do?

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

**E. LOVELESS:** I asked that question before and if I'm correct – and I'm sure they'll correct me if I'm wrong – I think from on a daily inspection level, because you referenced your work, the amount of time it takes, but I think per person, we look at an average of three a day.

So we'll do the math. It's not 365 days a year, but whatever they allow them to do. Sometimes it's an average of three a day. If all goes well, I'll get my three done. If it doesn't, then three becomes two and could become one. But on average, it's three a day.

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

**L. O'DRISCOLL:** I was in that industry, and I'm not the expert on it, but we tried to do it on computers, we could not get a computer to produce what we were trying to do, you really have to do it manually. It was only 60 units, so I can only imagine; people who have individual units it's easy to keep track of. Sometimes, as an individual, when you have two or three cars in your family, you still miss them. You know that cars go beyond their – let's say – change of oil. So these are regular inspections. But there are times that we have to get more people to get these done to be able to catch up.

Like you said, three a day, would that be a number, four a day, five a day? How long does an inspection take? Do you know that offhand, to do an elevator inspection?

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

**E. LOVELESS:** That depends on the device that we're talking about, right? Don't forget, now, I think it's important that we need to remember in this conversation back and forth here that the amount of time that it takes to travel to various parts of the province and, as was mentioned in my notes, we have aging infrastructure. So that creates a bigger challenge, as well.

When things are brand new, well, we feel like we can rely on them more, but they still have to be inspected. So it really depends on the type.

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

**L. O'DRISCOLL:** Again, coming from the car industry, and I'm not trying to get into that part of it, but motor vehicle inspections were taken out and the previous minister had this discussion. I'm not looking to put more cost on people, that's not what I'm interested in doing, but there is the safety aspect. I saw somebody the other day with a 2013 or 2014 vehicle that the rotor – I have a picture on my phone, it's scary really – when he took off the wheel, the round part of the hub came off, the brake pad was worn right into the metal and it was a 2015 vehicle.

Now, not everybody's going around like that, but, again, safety-wise there has got to be some way that we can get to the bottom of this stuff to be able to – I don't want to put more cost on people. That's my first thing, but there's a safety aspect. This gentleman was driving around, he had people in the car and the rotor was falling off the vehicle. We cut out inspections. So, again, just another example of that.

So to go back to where I was. That's just scary to me, sometimes when I see that we've cut that out a long time ago, but there are times that we can come up with suggestions in here, as people that are

making rules and regulations that, of course, that's not what the bill is about, but as for vehicles, there should be a limit of whether it be a mileage or time-wise that a vehicle has to get an inspection, whether it be seven years old.

I can see first five or six years but after seven years old, certainly, something should be done to prevent or provide some safety for people, for me, for you and for everybody else in the province. You know, it just worries me sometimes when I see it.

How long will it take these people to get licensed as inspectors? Is there a certain timeline?

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

**E. LOVELESS:** Well, in terms of the recruitment piece, it took us several years to get this individual who came in under the umbrella of apprenticeship. I guess what you're asking is if you were coming into me today and said I want to be an inspector, how long is the process? I don't know, because I don't know the schooling, how long it would take, but I know in terms of apprentices, I think it averages out at two years in terms of the apprentice. That's school, work, then school, work. But I'm being told four years.

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

**L. O'DRISCOLL:** What is the pay scale right now for someone who's coming in to be an inspector or to be a mechanic or whatever you would call it, a repairman for this job?

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

**E. LOVELESS:** Like many positions, I guess, in government, there are steps. The high end of the scale is a little over \$72,000.

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

**L. O'DRISCOLL:** Can an employee from one company install the elevating device and then a second employee of the same company inspect that install?

**E. LOVELESS:** Sorry, I –

**L. O'DRISCOLL:** Would you like me to repeat the question?

**E. LOVELESS:** Yes, please.

**L. O'DRISCOLL:** Can an employee from one company, that's installing a device, and then a second employee from the same company come and inspect it?

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

**E. LOVELESS:** I shouldn't guess, because it's not fair, but I'm thinking if they're qualified, absolutely. But they can be the same person, if the qualifications are there and it's accepted by the standards and the codes. So it can even be the same person, installer inspecting.

If I could add, because there is the oversight piece there, right. It's not like you're going to install it and you're going to inspect it and walk away. There is an oversight piece there.

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

**L. O'DRISCOLL:** Yes, I guess, no different than a journeyman technician. He's going to inspect his own work so he can go back. He's doing the work and then he'll pass an inspection on it as well, because his licence is on the line, basically. That's how that works, I would think.

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

**E. LOVELESS:** Yes, I will correct myself, Chair, they can't inspect their own work, I was reading it wrong, too, and I'm not sure if that's correct. Forgive me, that's on me.

That's my bad. You can't inspect your own work. It's someone that would install and there would be a different level of process in terms of inspection.

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

**L. O'DRISCOLL:** So you hire inspectors outside that are going to do this work. Have you got a remuneration cost that that's going to cost us now? If you hire someone from outside, we know what the pay level is here, what are we paying for somebody to come in from outside to do it?

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

**E. LOVELESS:** We currently have contracted services now, but I ask the same question: Can we put a dollar figure on it? I ask the same thing as well in terms of we'd like to have more inspectors inside. So I'd be interested to see what uptake there will be, which we hope there will be, in terms of if there are seven inspectors from different companies that are going to do this for us, you're asking what the cost would be to them. I don't –

**AN HON. MEMBER:** No, the taxpayer.

**E. LOVELESS:** Oh yes, I know that, to the taxpayer. But that's what I'm saying, if it's going to be seven outside inspectors, what is the cost going to be to us.

**L. O'DRISCOLL:** Yeah.

**E. LOVELESS:** Oh yeah, but I don't have that figure.

So right now, and as you can appreciate, there's lots of back and forth. We're just trying to find the right answers for you. We will not be hiring contractors to inspect. We will license them and then the device owners will get the licensed contractor to inspect and then submit to us a written report, no cost to us, and that's the oversight piece there.

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

**L. O'DRISCOLL:** Can you repeat that again?

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

**E. LOVELESS:** In terms of process, government will not be hiring contractors to inspect. We will license them and then the device owners will get a licensed contractor to inspect and then submit to us a written report, and I'm told no cost to us.

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

**L. O'DRISCOLL:** I'll go back to that.

**E. LOVELESS:** I will seek clarification on that, too –

**L. O'DRISCOLL:** I'm not saying it's not the right answer, but it's not very clear to me.

**E. LOVELESS:** Yeah, understood.

**L. O'DRISCOLL:** How many vendors and companies and individuals are able to carry out the work in this province? Do you know that?

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

**E. LOVELESS:** Can I be so nice to ask to repeat that again please? The mic is cutting in and out.

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

**L. O'DRISCOLL:** How many vendors/companies or individuals are able to carry out this work in the province?

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

**E. LOVELESS:** Six.

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

**L. O'DRISCOLL:** Can you provide examples of how inspections are handled in other provinces?

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

**E. LOVELESS:** Just to answer your previous question, six contractors and there are about 30 to 40 mechanics available through those six contractors. So to add that.

I think your question is what happens in other jurisdictions. Very similar to what's being proposed here. I've referenced in my notes that Manitoba is the only one that have them within government.

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

**L. O'DRISCOLL:** I did ask this question and I don't know if you gave any answer – I didn't mark it down for sure, and if you want to get back to me it's fine. I know that the 500 inspections that are behind. How many do we have to do in total? And if you have to get that later, that's fine, but I'd like to see the number whatever that is.

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

**E. LOVELESS:** So your question is we have 500 in total, how many we have to do within a certain period of time? Is that –?

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

**L. O'DRISCOLL:** There's 500 inspections that are past the expiry date.

**E. LOVELESS:** Correct.

**L. O'DRISCOLL:** How many in total do we have to do, as a total number, per year?

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

**E. LOVELESS:** Yes, I'm sure I will in a short period of time.

Back to your previous question – and I think I alluded to it earlier, but I might have said it in previous bill in answers as well. We're aligning primarily from a jurisdictional perspective with Nova Scotia.

**L. O'DRISCOLL:** All right, that's it for now.

**CHAIR:** No more questions from the Member for Ferryland.

The hon. the Member for Labrador West.

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

When consulting the cross jurisdictional scan on other provinces, when looking at allowing the chief inspector to allow contractors or individuals the ability to inspect, how many provinces went with the same scheme that the elevator owner would be able to get a contractor to do the inspection and submit the report to the chief inspector?

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

**E. LOVELESS:** Are you asking what jurisdictions are doing what we are proposing to do here today?

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

**J. BROWN:** That's correct, yes. The proposal that you just spoke about a few minutes ago with my colleague from Ferryland, how many other jurisdictions do it in that manner?

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

**E. LOVELESS:** I think all but Manitoba.

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

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

Just for clarification, all provinces that do what we're proposing – all jurisdictions do it exactly the same way? Is that correct?

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

**E. LOVELESS:** I'm seeking clarification, but we are directly – if I can use the word directly – aligning with Nova Scotia in terms of what we're proposing to do here from an operational perspective. I'm told it's difficult to compare, but we're aligning with Nova Scotia. I am not sure if that answers your question or not.

Anyway, I do have an answer for the Member for Ferryland. I can tell you after or you can ask me the question again in terms of how many devices I think you were asking currently.

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

**J. BROWN:** Thank you.

Going with that model, is there any concern that it looks like an attempt to basically abolish the current system with the other inspectors in this province? If a private elevator owner can just contact a company and have them inspect the elevator and submit a report to government, does it almost look like we're phasing out the current operation of inspections and how they're carried out right now? Because it looks like that's kind of what you're proposing here.

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

**E. LOVELESS:** I don't see it that way. You're looking at it through a different lens than what we are. I mean, we still inspect here. There's an oversight here. We're not just saying, well, you go inspect them now,

there's nothing else for government to do. The process still ensures that happens.

The Member for Lab West, if I can, I think you asked about other jurisdictions. Just to give you a little bit of clarity on that. Ontario, Alberta, Saskatchewan, Quebec and BC, they have arm's-length agencies within their jurisdictions. So I just wanted to share that with you.

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

**J. BROWN:** I'm trying to seek clarification here. We have three, four inspectors currently operating in the province, but with this legislation, the chief inspector can allow a contractor to go and be able to do an inspection. A private elevator owner, just for example a mall or a small office building, could go call up an elevator contractor, they've been appointed by government to be able to do this, have them come and inspect the elevator and then submit a report to government.

Then if all the private elevator operators in the province and, in some cases, government can theoretically do the same thing with their elevators, doesn't that sound like you're privatizing the inspection of the entire province's – you can just call up a contractor, have them go do the work. That kind of sounds like you're phasing out or you're giving yourself the ability to phase out the inspectors that the province has on its own payroll and allowing contractors to do the work and submit reports to the government. This kind of sounds like a phase-out.

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

**E. LOVELESS:** I'm certainly not attempting for privatization here. The attempt is to deal with the challenge of inspections of these devices within the province. From an inspection perspective, we still inspect new installs and alterations. From a process

perspective, the contractors will inspect for renewal purposes. They will then submit a report to us for the review.

If, at that point, there are problems and concerns from our perspective, then we will inspect. I don't classify that as privatization. I go back to the oversight piece, there is still that certainty of oversight there.

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

**J. BROWN:** I know, but it's not sounding that way on paper. It really does sound like there's an opt in here to privatize a large chunk of this work or eventually completely privatize it or open the door to privatization. It does bring great concern in that way.

I understand that it's only for, I guess, annual inspection, not for alterations or new installs, but it seems like, from what we're seeing here in the act and what you're telling us here, it really does seem like you're leading down the road to privatization of the inspections.

It's really hard to not see it this way, that this is where your department is going with this act.

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

**E. LOVELESS:** I disagree.

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

**CHAIR:** The hon. the Member for Labrador West, are you done, Sir?

**J. BROWN:** No, I have another question.

With the removal of the board – and, once again, we just did it before in the previous bill, removing this board – I understand that you said it hasn't done an appeal since 2009-2010, but this was an arm's-length board once again that was from government and now it's going to be handled by the

deputy minister, in the same department that is also handling the inspections and all that.

Did you guys do a review or anything about potential conflict of interest or anything like that when these pieces come to the deputy minister?

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

**E. LOVELESS:** I think I repeated in my notes, as minister responsible for this department, I have none of those concerns; none whatsoever.

If I can find it here, in terms of the deputy minister: the deputy minister does not have a role in the administrative or operational decisions made by the chief inspectors. The deputy minister will not have any involvement, previous knowledge, or previous bias of the specific decisions being appealed, therefore, there would be no conflict of interest. I have no concern.

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

**J. BROWN:** So will this be the same process, that if the individual who made an appeal to the deputy minister, their only other recourse after, if they do not agree with what the deputy minister says, is once again to go back to the judicial system, to litigation or through the court system?

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

**E. LOVELESS:** Yes.

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

**J. BROWN:** Would the minister be able to provide the qualifications for a contractor or an individual who is going to be approved by the chief inspector, the qualifications or what will be required for them to get the

ability to inspect on behalf of the government?

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

**E. LOVELESS:** That will be in the regulations.

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

**J. BROWN:** Yes, you're saying that those qualifications will be written into the regulations upon assent of this legislation?

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

**E. LOVELESS:** That's what I'm being told.

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

**L. PARROTT:** Minister, these inspections, I think I'm a little confused on it. I'm just going to walk myself through it, you can answer after.

If it's a new build, you guys are responsible for the inspection.

**E. LOVELESS:** Yes.

**L. PARROTT:** If it's in a government building, we're responsible for the inspection.

**E. LOVELESS:** Yes.

**L. PARROTT:** If it's at the mall, do your inspectors do those inspections, or is it already private contractors that do those inspections?

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

**E. LOVELESS:** Well, I have a list here that would have been in the ATIPP request, but I think I answered yes and yes when you

were going through in terms of the new builds, alterations and stuff, yes.

So private contractors are not currently doing any inspections.

**L. PARROTT:** They're no doing anything?

**E. LOVELESS:** Not by private contractors.

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

**L. PARROTT:** If you've got a lifting device for changing tires on a car inside of a garage, it is Service NL that is responsible for escalators, elevators, any kind of amusement lift, any kind of that stuff. So you've got three people doing that for the whole Island of Newfoundland and Labrador. Is that fair to say?

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

**E. LOVELESS:** Well, in terms of description, we have 1,878 from escalators, passenger elevators, man lifts, hoists; I can table that if you wish to see it.

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

**L. PARROTT:** So the alignment with Nova Scotia is specifically because of the collective bargaining agreement with Local 125 and 125A, I guess is it, elevator mechanics. There's one union that covers Nova Scotia and Newfoundland. Is that fair to say because they're all unionized?

We are aligning our legislation (inaudible) Nova Scotia?

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

**E. LOVELESS:** Yes.

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

**L. PARROTT:** Just one other question.

It was brought to the House maybe 12 or 14 months ago – and I'll go back to this again because I asked earlier about a risk analysis and where we would deem this to be most important trying to knock these 500 inspections that weren't done, off.

We know, for certain, that there are some pretty serious issues with at least one lift in Labrador but I think two that are in schools and there are children with disabilities that can't utilize them.

Do you know if those types of things will be deemed as priority or if it'll just be knock them out of the way as they can?

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

**E. LOVELESS:** I would say, yes, they would be deemed priority, absolutely.

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

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

Again, I'm just trying to, I guess, wrap my head around this, as well.

Right now, forget this legislation, just right now, today, we have three inspectors. I think you said there are 1,800 or whatever the number is, lifts and so on, throughout the province – elevators, lifts in garages and Thomas Amusements, all that good stuff, whatever.

So those three people, they would be responsible for inspecting all of that as it currently sits and that's why there are 500 elevators behind everything else because we only have three. Is that accurate?

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

**E. LOVELESS:** Yes.

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

**P. LANE:** Okay. I'm kind of going where my colleague from Labrador West went in terms of we call it privatization, call it whatever. So what you're proposing now is that if there are existing elevators, lifting devices and so on, which would be most, unless there's something new basically that happens, a new building goes up or whatever the case may be, the bulk of what's already existing, that whole 1,800, we're proposing with this legislation that we can deem a private contractor, if he's qualified and he meets the qualifications, a private person, contractor, whatever you want to call it, to be able to do those inspections that are currently being done by these three government employees. Would that be correct?

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

**E. LOVELESS:** Yes, and that ends the whole idea of trying to tackle that backlog that we have. So yes, to answer your question.

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

**P. LANE:** I appreciate the reason. I'm not knocking that. I don't want you to be defensive on it.

Okay, so they can do it. Right now, the three people that we have that are currently trying their best to do it, but obviously not succeeding 100 per cent because of the numbers, when this legislation comes into force, will these three people still have, like, a workload of you're going to do whatever but then we'll get other people to do their own; or will all this now go away to private industry and these three individuals will only be responsible for if a new building went up or a new device got installed, but other than that, this whole 1,800 is now going to go to the private sector or whatever to be able to do the inspections? What's the plan there?

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

**E. LOVELESS:** I can repeat it again for you and the Member for Labrador West that that's not the intent here in terms of privatization. We're not saying we got a problem, so let's throw it at the private industry. It is not. Sometimes the numbers are used loosely, but we have to look at and we've talked about, and I think we appreciate the enormity of what these inspectors do. These devices are aging the demographics of this province and what they're challenged with.

Yes, I would like to have 33 instead of three, but we have three. The third one is brought in through the apprentice program. He will be fully, I guess, certified – if I can use the word – to do his work very soon. So we will have three. Is it enormous? It absolutely is. But it doesn't take away from the challenge that we've had in terms of recruitment. Nobody can pull them out of the sky. I mean, nobody can. We wish we could. We're now attempting to move on trying to attract, whether they're within government or outside because if we're not doing that, then the Opposition on your other side is asking us to do that. If you can't do it within government, then let's look outside.

I don't want to take work away from these three workers. Again, I'd like to have more within government, but we know the challenges here. We know the challenge in terms of what we pay to them. That's a reality everywhere, no doubt about it, but we have an issue to deal with here.

We're moving in the right direction, I believe we are and I'm hoping once this rolls out and we get the Royal Assent to move on with this, then we will see that things are getting done in the province. That 500 will become less, but not forgetting what work they do is pretty specialized and therein lies the challenge in terms of getting these people in these positions.

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

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

I realize the enormity of the challenge. I realize the backlog. I realize the speciality. I realize the difficulty in recruiting. I understand all that and, again, this is not an adversarial conversation, for me at least. It's really not and I'm not jumping on the bandwagon now. You're not going to see me outside the Confederation Building with NAPE or something talking about privatization. That is not going to happen.

So I just want to make that clear. I'm just trying to understand to get to the bottom of exactly what's happening. The three people that are currently – or the 2½ people; it'll soon be three when the apprentice is there – will those people continue – like right now, if there are 1,800 devices and there's a backlog of 500, for argument's sake, that means they're doing 1,300. Maybe they're overworked, maybe it's all overtime, but are the three people going to inspect – and this is just an arbitrary figure; maybe they will do 800 next year and the private sector will do the other 800; or is the private sector going to be doing the whole 1,800 and these three people are going to do something different?

That's what I'm trying to figure out. Are they going to continue doing their job as they always did and where they have a shortfall, because there's not enough of them, this new process kicks in and picks up the backlog; or are we simply throwing all of the existing inspections to this group and these three people are going to do some other job that they're not doing now? That's what I'm trying to figure out.

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

**E. LOVELESS:** The whole reason why we're here today is because of the demand on the system. The demand on the system is significantly real, if I can frame it that way.

At the end of the day, if I come back here next year and say we don't have any expired, that's wonderful news. Now, if it was done through what we're trying to do here today, on the outside, at the end of the day I'll champion that, but we're not getting rid of these three positions within government. They're here. There's going to be a need for them, plus going outside trying to deal with the demand that's on the system. That's the intent of this. This is what we're trying to do here and I think we're moving in the right direction.

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

**P. LANE:** I'm not arguing any of those points. I'm not arguing the fact that in next year you can come and say they're all done. I'll be happy. I'm sure we'll all be happy. It's all about the public safety. I know the challenges. It's not about any of that.

All I'm simply trying to ascertain, a simple question, I think, is the three people who we currently have, that are inspecting existing elevators like this year, last year, the year before, are those three people going to be getting up every day coming to work and inspecting those same or a portion of those same elevators next year, the year after that, the year after that; or are all these elevator devices going to be going under this new system where it's done privately, reports are sent in and then these three people, they're not losing their jobs but they're going to be give something else to do other than what they're doing right now? That's all I'm trying to understand.

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

**E. LOVELESS:** I don't know what else to say to the Member opposite. He says it's a simple question. I believe I gave a simple answer. It's that these three positions will remain. Will these workload look different? I hope it does because then they're going to be able to achieve higher numbers as well,

even if it's three – and you're continuing to do that with your eyebrows there, which gives me the body language that you don't understand what I'm saying.

I don't know what else to say. We have three inspectors that will remain – and I'm not being defensive; I'm being passionate because these three people carry heavy workload in this province and they're doing a good job on behalf of the department. So we're going outside.

You ask, will their job be the same? Will they have more? Will they have less? I hope they'll have less responsibility on them because we do have a backlog. We're going outside of their purview of work. That's what we're attempting to try to do here.

If I can't explain it correctly, b'y, listen, you'll have to come over to the department, we'll sit down and try to give you a clearer explanation of it. I'm trying to be clear here that these three positions are very important. We know that. They can only do so much in the run of a day and they're tasked with that. I'm hoping they'll get less. Their responsibility will be less and at the end of the day our numbers will come down in terms of being expired.

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

**P. LANE:** Minister, again, I don't know how it's not clear. I understand that. All I'm simply asking is, right now, you're saying they're doing three a day – I think you said they're doing three a day – an inspector is doing three a day. So is the plan now that maybe next year they might do two a day, plus there will be no backlog, or is the plan that they will do zero a day, that all of these are going to go under this new system with the contractors, and these three people will just have some other duties other than what they're doing? That's all I'm asking.

**CHAIR:** The hon. the Minister of Digital Government and Service NL for a response.

**E. LOVELESS:** There are enormous challenges in terms of what they do and in terms of their numbers. I mean, the whole intent here – and maybe I'm not explaining it well enough for him, I don't know what else to say other than these three – I hope it will be two a day, I hope it will be one a day. These inspectors are going to remain, I say to the Member opposite, and he should be proud of that because they are public servants and doing a good job.

So that's all I can say. You're asking me will they, next year, be doing two? Who knows if they'll be doing two. I don't know. The whole premise of this is trying to relieve them of some of their enormous duties, in terms of doing inspections in this province. We're looking for avenues of trying to help them with their workload, which, in return, will give us less of those expired over 500.

**CHAIR:** I'm going to take a break.

I recognize the Member for Topsail - Paradise.

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

I just want to touch on the Explanatory Notes where it talks to the chief inspector can authorize a person to be an inspector, as long as that person satisfies the qualifications as prescribed in the regulations, and I understand the regulations are not yet done. Through the discussion here today, we talked about public safety being paramount, and we also noted that this is a specialty area.

So when I look at a chief inspector who authorizes someone else to be an inspector, what are we looking at in terms of pre-qualifications for a person to be in that area, to be authorized.

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

**E. LOVELESS:** For the chief inspector you mean? Is that what you're asking?

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

**P. DINN:** No, of the people that the chief inspector is authorizing to be an inspector. What are their pre-qualifications for that?

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

**E. LOVELESS:** Again, that will be in the regulations.

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

**P. DINN:** Thank you, because it's a pretty important piece.

So when you're talking about you're aligning yourself with the Nova Scotia model. The Nova Scotia model looks at four modules to become certified in elevators and lifts. Is that something we're looking at?

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

**E. LOVELESS:** I will ask for confirmation on that, but I'll say yes to it.

When I said it will be in our regulations, it also has to align with code requirements in terms of the inspectors under the chief inspector. I think that's kind of where you were.

There are code requirements, and thank God for code requirements, that plays into the answer of what you're asking about for those that are under the chief inspector.

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

**P. DINN:** No, thank you for that. I realize that, I appreciate it.

We know there's a challenge in getting elevator inspectors and lift inspectors. Has there been any consideration to adding

modules or training here in the province to a program?

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

**E. LOVELESS:** Adding modules of training for elevator inspectors is that what you're asking for, that particular position?

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

**P. DINN:** Yes, I mean, there are a number of apprenticeable trades around. If I'm looking at Nova Scotia they require them do to four modules to get certified as an elevator inspector.

I'm just curious, have we thought about our public training institutions offering something similar here that will give apprentices in several trades the opportunity to become a certified inspector?

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

**E. LOVELESS:** Currently, there is training that's done through the local union that's here as well. I think the question was asked earlier in terms of the amount of time, I'm not sure if that answers your question, but it takes four years to fully certify that person to be out in the workplace doing the work of an inspector. I'm not sure if that answers your question.

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

**P. DINN:** Yes, in a way it does, in a way it doesn't.

I guess when you look at an apprenticeship program, you do your hours, you challenge an exam, you do your hours for your next level, you challenge an exam.

I'm not aware that there's a specific program here for elevator instructors. That's

why I'm asking the question, is this an add-on to another trade or is this something we should be looking at having available here?

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

**E. LOVELESS:** Well, it is something that we should be looking at, for sure, and something that is becoming a part of the conversation. I'm just trying to give you pieces of information that I'm getting. I guess from the certification and that is awarded by the National Association of Elevator Safety. That association is located in Nova Scotia, and that goes back to we're aligning ourselves with Nova Scotia in this, but your point is well taken, no doubt.

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

**L. DEMPSTER:** Chair, I move, seconded by the Minister of Digital Government and Service NL, that the Committee rise and report progress on Bill 95 and ask leave to sit again.

**CHAIR:** It has been moved and seconded that this Committee do rise, report progress and ask leave to sit again.

Is it the pleasure of this House to adopt that 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:** Thank you, Speaker.

The Committee of the Whole have considered the matters around Bill 95 and they have directed me to report that we have made some progress and ask leave to sit again.

Thank you.

**SPEAKER:** The Chair of the Committee of the Whole reports that Committee has considered the matters to them referred and directed that they have made some progress and have asked leave to sit again.

When shall the report be received? Now?

**L. DEMPSTER:** Now.

**SPEAKER:** When shall the Committee ask leave to sit again? Tomorrow?

**L. DEMPSTER:** Tomorrow.

**SPEAKER:** Tomorrow.

On motion, report received and adopted. Committee ordered to sit again on tomorrow.

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

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

I move, seconded by the Member for the beautiful District of Cape St. Francis, this House do now adjourn.

**SPEAKER:** Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

**SOME HON. MEMBERS:** Aye.

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

Motion carried.

This House do stand adjourned until  
Monday, 1:30 p.m., on December 2.

On motion, the House at its rising adjourned  
until tomorrow, Monday, December 2, 2024,  
at 1:30 p.m.