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Speaker: Honourable Derek Bennett, MHA

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The House met at 1:30 p.m.

SPEAKER (Bennett): Order, please!

Admit strangers.

Before we begin, joining us in the Speaker's gallery today for a Member's statement are retired veterans: Captain LeBlanc, Chief Warrant Officer Tobin, Sergeant Clarke, Master Corporal O'Reilly, Corporal Critch and Officer Cadet Spurrell.

Welcome.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Also in the Speaker's gallery, for a Ministerial Statement, Assistant Commander Cahill, Sergeant Lodge, Sergeant Major Baldwin, Constable Halliday and Constable Bennett.

Welcome.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Joining us for a Member's statement in the Speaker's gallery are Sister Charlotte Fitzpatrick, Sister Patricia March, Sister Betty Morrissey, Sister Ruth Beresford, Sister Bridget Patterson, Sister Irene Neville and Sister Monica Hickey.

Welcome this afternoon.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: In the Speaker's gallery, I'd like to welcome Thelma Williams and the family of the late Albert Williams. They are joining us this afternoon for a Ministerial Statement.

Welcome.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Also in the public gallery, Nadine Reid of South Dildo. She is here with her family members and will be

recognized this afternoon in a Member's statement.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Also joining us is Kelsey Fifield from Ascension Collegiate High School and also Brenda King and her daughter Heather King, joining us as guests this afternoon.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Finally, I'd be remiss if I didn't acknowledge our Page, Portia, who just completed her master's degree in political science from Memorial University today.

Congratulations.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

SPEAKER: Today we'll hear statements by the hon. Members for the Districts of Labrador West, Lake Melville, Mount Pearl - Southlands, Mount Pearl North, Placentia - St. Mary's, Virginia Waters - Pleasantville, with leave and also St. John's East - Quidi Vidi, with leave.

The hon. the Member for Labrador West.

J. BROWN: Thank you. Speaker.

Speaker, I rise today to acknowledge 17 individuals who I had the privilege of presenting a Confederation 75 anniversary medal to last week.

These individuals are the backbone to our community and many of them were pioneers who held mould Labrador West into what you see today. Many of these individuals and pioneers are continuing to volunteer in various groups and charities and are all well known and respected within the community.

I would like to thank Darrell Brenton, Noreen Careen, Harold Clarke, Mike Cole, Dr. Tom

Costello, Ed Daigle, Ed Delahanty, Junior Humphries, Josephine Gaulton-Rowe, Todd Kent, Dave Mercer, Gail Pike, Craig Porter, Peter Record, Thelma Ricketts, Gerry Rideout and Sally Snow.

Each of these individuals helped our communities in many ways. Whether through sports, charities, coalitions, Relays for Life, MADD or keeping our community healthy, they are exemplary role models for future generations in Labrador West. They've proven that. They have shown us what volunteerism and community service can do for a community.

I'd like to thank all hon. Members and rise and congratulate these 17 recipients. On behalf of the constituents in Labrador West, I'd like to thank these individuals again for everything they've done for us and continue to do for Labrador West.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Lake Melville.

P. TRIMPER: A Christmas tradition like no other, Speaker, is the annual Santa to the Coast event that occurs in Labrador each December.

Soon after the Second World War, Canadian and, later, British forces stationed at the Goose Bay military base began to airdrop or land on skis to deliver parcels of toys and other goodies to coastal Labrador communities. With the development of airstrips in the 1970s, the Otter was able to land and distribute the gifts in person.

For the last 25 years, the Rotary Club of Happy Valley-Goose Bay has taken on this tradition in partnership with Air Labrador that now operates as Air Borealis. Many hundreds of loot bags are packed and loaded aboard the Twin Otter that delivers

Santa Claus and eager elves to the excited children.

I can tell you it is a thrill to serve as an elf on these adventures. We are as excited as the children when we land. This unique project has been recognized by Rotary International and profiled by many journalists over the years.

I would like to invite our Legislature to also recognize this spirit of Christmas and the long-standing partnership between the Goose Bay Rotary Club and Air Borealis.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

P. LANE: Thank you, Speaker.

Halloween is a time of the year that brings out the child in us all. It's a tradition in my family to drive around Mount Pearl and Southlands to see all the fantastic displays in our community. One of the most impressive displays each year is called A Haunting on Whiteley. We always look forward to seeing the spooky delights they have concocted. From spinechilling and gruesome to silly and fun, their decorations bring smiles to all passersby.

Chantelle Keen and her husband, Dave, who is a retired US Army veteran, are the masters of this wonderful display. Chantelle says that Dave enjoys decorating as his way of coping with the impact of many years of service. Their decorating has inspired the neighbours, as many of the other homes on Whiteley Drive have followed suit and offer a brilliant display for Halloween.

Not only do the Keens provide a wonderful Halloween display, but they also have an outdoor food pantry and use this opportunity to collect donations and non-perishables to help those in need in our community.

Honourable Members, please join me in commending Chantelle and Dave Keen for their wonderful community spirit and continued efforts to help others.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

L. STOYLES: Speaker, On September 25, I had the opportunity to attend the official opening of the Echelon Wellness centre, clinic in my District of Mount Pearl North.

This clinic has quickly become a cornerstone of support and care, offering health care services to military veterans and members of the RCMP all under one roof.

Our veterans and RCMP members have served our country – standing on the front line to protect the safety, security and freedom we often take for granted. When their active duty ends, many return with visual injuries but also with invisible scars, post-traumatic stress disorder, chronic pain and other mental health challenges.

By bringing these services together, this clinic fosters a holistic approach to healing and wellness and, most importantly, offers our retired servicemen and women the care that they deserve, in a place they feel comfortable, all with the respect and expertise that understands their challenges.

They provide a free space for these women and men to meet on a daily basis to offer support to each other, through social activities such as music, games and lots of education and self-supporting events.

Speaker, I ask all Members in this House of Assembly to join me to say thank you to the professional service in our community.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

S. GAMBIN-WALSH: Speaker, Nadine Reid resides in South Dildo, Trinity Bay. She enjoys volunteering with the Salvation Army Trinity Bay South Corps and recently began learning how to model.

If you look at this young lady's social media, you will see positive quotes and posts of inspiration. Nadine is a person living with an intellectual disability.

Supported Employment provides persons with intellectual disabilities opportunity to find meaningful and rewarding employment. The Department of Immigration, Population Growth and Skills funds 16 agencies to develop and maintain job opportunities.

Through this program, Nadine has worked at the Needs Convenience store, The Inside Scoop in South Dildo, the Dildo Freshmart and currently is employed at the Adora Boutique in Whitbourne.

October was Disability Employment Awareness Month and Nadine did an awesome job as a strong advocate for Supported Employment through social media by sharing her valuable perspective on the importance of hiring individuals with disabilities.

On November 2, I was pleased to present Nadine with a Confederation 75th anniversary medal for her volunteerism and contribution to community. Nadine was truly deserving of recognition for her role in advocating for persons with disabilities.

Please join me as I congratulate Nadine Reid of South Dildo.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Virginia Waters - Pleasantville, with leave.

Does the Member have leave?

SOME HON. MEMBERS: Leave.

SPEAKER: Leave is granted.

B. DAVIS: Thank you, Speaker.

Along with my colleagues in the House of Assembly, I rise to offer sincere condolences to the friends and family of Mr. George Powell.

While born in Ontario, George Powell was a son of this province.

He joined the RCMP in 1952, serving throughout Newfoundland and Labrador, as well as Fredericton, Toronto and Ottawa, before returning to St. John's in 1977. His final posting was Vancouver, where he retired in 1988 as chief superintendent.

After a lifetime of serving our country with the RCMP, in his retirement Mr. Powell returned to our province to be closer to family and to serve Newfoundland and Labrador again. This time as an active volunteer.

From the RCMP Veteran's Association to the Canadian Baptists of Atlantic Canada, from Festival 500 and even as a volunteer visitor at Her Majesty's Penitentiary, Mr. Powell certainly had a hand in a variety of community organizations and helped others whenever and wherever he could.

I had the distinct pleasure of knowing him and working with him for many years. A funny, kind, generous man who made friends wherever he went. To his family and to those who knew him best I offer my deepest condolences on your loss.

Mr. Speaker, I ask all hon. Members to join me in remembering retired Chief Superintendent George Powell.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for St. John's East - Quidi Vidi, with leave.

Does the Member have leave?

AN HON. MEMBER: Leave.

SPEAKER: Leave is granted.

J. ABBOTT: With leave, Speaker, I am rising to recognize the Sisters of Mercy, who first trod upon our shores in 1842.

The Sisters of Mercy have made valuable contributions to our province. St. Clare's Mercy Hospital is where they are best known for their work in health care. The Sisters established St. Patrick's Mercy Home in 1959, and they are well-known for their work in education, having established Our Lady of Mercy and Holy Heart of Mary High School in my district.

Fifteen years after arriving and establishing their first convent, the four-story granite building, which was to house the convent of Our Lady of Mercy, was built on Military Road in the District of St. John's East - Quidi Vidi.

However, with their population declining, the Sisters gifted the convent to The Gathering Place in 2020 to be used for shelter and transitional housing.

SOME HON. MEMBERS: Hear, hear!

J. ABBOTT: Quite so, the building is named Mercy House to honour their mission of compassion and charity.

Since first arriving from Ireland, the Sisters of Mercy have spread across the Island, into Labrador and even into Monsefú, Peru.

I ask my fellow Members to join me in thanking the Sisters of Mercy for their valuable contributions to the people of Newfoundland and Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

I rise in the House today to pay tribute to the life of Mr. Albert Williams, a family friend and a dedicated and passionate, hard-working Newfoundlander and Labradorian.

Most in here know him as the chair of the board of Newfoundland and Labrador Hydro and, in that role, he admirably, passionately served the people of Newfoundland and Labrador. However, his contributions to our beautiful province go far deeper.

Born in his proud home of Grand Bank, Albert graduated from the engineering program at Memorial University before starting his own firm. Through NewPlan Engineering, he helped build the very roads and bridges that connect our communities to this day. Later, he moved on to serve as CEO of SNC-Lavalin, Atlantic Division.

Retirement was not a word in Albert's dictionary, so after leaving Lavalin, he quickly took on many other projects and in 2022 he happily accepted the huge role of the board chair at Hydro.

Like many people from the Burin Peninsula, Albert indeed loved to be on the land either on foot or on snowmobile and, if not the land, in his boat. In fact, he took part in one of the most gruelling outdoor events in the world, the Cain's Quest snowmobile race in Labrador. Impressive indeed.

More than anything, Albert was a family man, who was happiest spending time with his wife Thelma. He especially was proud of his children Stephen and Jonathan and his treasured grandchildren Jesse, Sam, Alison, Alexa and James. You would regularly find

Albert at hockey rinks or sporting events cheering on his family members on Saturdays or any evening of the week.

Speaker, I ask all Members to take a moment to remember the life and the service of an incredible Newfoundlander and Labradorian, Mr. Albert Williams.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Thank you, Speaker.

I thank the Premier for an advance copy of his statement.

On behalf of the Official Opposition, I offer my sincere condolences to the family of Mr. Albert Williams. Albert's adventurous spirit and love for life were truly inspiring and his dedication to his family, especially his joy in his grandchildren's activities, is a testament to the remarkable person he was.

His contributions to Newfoundland and Labrador's energy sector, his leadership at Newfoundland and Labrador Hydro and his entrepreneurial achievements have left an indelible mark on our community. Albert's legacy as a brilliant engineer and business leader, a dedicated volunteer and a warm-hearted individual will long be remembered.

During this difficult time, our thoughts and prayers are with his family and friends, including his wife Thelma; children Stephen and Jonathan; and grandchildren, Jesse, Sam, Alison, Alexa and James.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I thank the Premier for an advance copy of his statement.

Our caucus would like to send our deepest condolences to the family and friends of Albert Williams. His work on behalf of this province will be remembered for generations to come. Mr. Williams left a void that certainly will be difficult to fill.

As a fellow snowmobiler, I hope his trails are good, the snow is just right, and it's a large, Labrador day.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Further statements by ministers?

The hon. the Minister of Justice and Public Safety.

B. DAVIS: Thank you, Speaker.

I rise to celebrate five police officers who were honoured recently at the Atlantic Women in Law Enforcement conference and by MADD Canada.

RCMP Sergeant Cara Streeter was named the 2024 Atlantic Women in Law Enforcement Officer of the Year. Based at the Happy Valley-Goose Bay detachment, Sergeant Streeter has played a role in changing lives in the community by fostering positive police relations with youth and Indigenous communities.

Speaker, RCMP Sergeant Elizabeth Lodge was acknowledged for her positive impact on communities she serves with the Mentoring and Coaching Award. A member of the serious organized crime unit, Sergeant Lodge is currently mentoring law enforcement in the Kingdom of Jordan.

RNC Constables Deirdre Halliday and Evan Bennett received the Team Endeavors Award for their immediate action and bravery that resulted in a youth's life being saved.

I also acknowledge Constable Caleb Pellerin of the Deer Lake RCMP detachment, a traffic investigator who was named MADD Canada's 2024 Police Officer of the Year.

Speaker, our province is served by two outstanding police agencies.

While I have this moment, I want to officially welcome Assistant Commissioner Pat Cahill as the Royal Canadian Mounted Police's new Commanding Officer for Newfoundland and Labrador division; we are in great hands for sure. I thank the outgoing Assistant Commissioner Jennifer Ebert and wish her much success on her new path.

Speaker, I ask all hon. Members to join me in recognizing Sergeants Streeter and Lodge, Constable Pellerin and Constables Halliday and Bennett on their awards and for their efforts in keeping our province a safe place to live, work and raise a family.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Speaker, and I thank the minister for providing an advance copy of his statement.

I join the minister in recognizing the exceptional work of the five police officers honoured for their contributions to public safety. Their dedication to protecting communities and fostering positive relationships deserves our deepest gratitude.

RCMP Sergeant Cara Streeter's work in Happy Valley-Goose Bay highlights the importance of building strong connections between law enforcement and Indigenous communities. Her recognition as the 2024 Atlantic Women in Law Enforcement Officer of the Year is well deserved.

Similarly, the achievements of our RCMP Sergeant Elizabeth Lodge, RNC constables Deirdre Halliday and Evan Bennett and Constable Caleb Pellerin demonstrate professionalism, bravery and mentorship. These officers truly represent the best of our law enforcement.

As we welcome Assistant Commissioner Pat Cahill to his new role, I urge the government to prioritize addressing systemic changes in our justice system.

While celebrating these officers, we must also acknowledge the rising rates of violent crime in all regions of our province and the critical need to support all police officers in the challenging work they do; ensuring they have the resources to uphold safety, fairness and justice is essential.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker, and I thank the hon. Member for an advance copy of the statement.

Our caucus also congratulates Sergeant Streeter and Sergeant Lodge, constables Pellerin, Halliday and Bennett for all their incredible work and their well-deserved achievements. We also congratulate Assistant Commissioner Pat Cahill on his new role and thank Assistant Commissioner Ebert on her tireless work.

Finally, we call upon government to make their jobs easier by putting in place more program initiatives to take impaired drivers off the road and make the streets safe for people.

I'd also like to take this opportunity to remind people at home that it is also their responsibility to call if anyone who is impaired and also to make sure that you do

the right thing in there because this is the holiday season and we all want less accidents and less incidents on our roads.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Are there any further statements by ministers?

Oral Questions.

Oral Questions

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

T. WAKEHAM: Thank you, Speaker.

Speaker, media are reporting that the province is paying upwards of \$11 million a year to Teladoc for services.

I ask the Premier: Can you confirm the actual cost and how long the contract is in place for?

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

J. HOGAN: Thank you, Speaker.

Of course, those contracts will be operational with NLHS but, really, so glad that we have Teladoc available. As we've said before, the plan is to roll out all the Family Care Teams throughout the province which is what Health Accord NL calls for. People want collaborative care for primary care in Newfoundland and Labrador and that's what we're going to deliver.

In fact, as I've said a few times in the House of Assembly during Question Period, I would have good news to report with regard to people connected to Patient Connect. Since we've been sitting in this House of Assembly I think there has been an additional 6,000 patients who have been

connected to Patient Connect in Newfoundland and Labrador.

Again, I'll say Health Accord NL is a great plan and the plan is working.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, I can only assume from that that we don't know how much we're paying or how long the contract is.

Again, a local physician, Dr. Powell, has spoken out about the enormous cost of Teladoc.

Based on the story and the amount paid to Teladoc, and the number of patient visits, I ask the Premier again, how much is each visit costing us?

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

J. HOGAN: Again, Speaker, as I said, we're so grateful that we have Teladoc –

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: – it was done through an open and transparent process, and of course not only does it give us access to people who are on Patient Connect, but now everybody that is on that Patient Connect system – and I encourage people to register – will have access to primary health care in Newfoundland and Labrador, which is the most important thing.

The Member will know that it does cost money to provide health care in Newfoundland and Labrador but the most important thing is that health care is being provided.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, there are 150,000 people I think, or greater, in the Province of Newfoundland and Labrador who say they do not have access to a family doctor. That's a statistic we all know. The information I'm talking about has been put out by the Health Authority. They've talked about 19,000 visits; they've talked about there's an \$11-million cost. Now if you do the math, that's a pretty high cost for patient visits.

I ask the Premier again: How much does a family physician get paid to see an actual person in their office? How much does that cost the system per visit?

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

J. HOGAN: Thank you, Speaker.

I'd just like to take a minute to talk about the feedback that NLHS has received with regard to Teladoc, and I think the satisfaction is like 80, 85 per cent of people are satisfied with Teladoc –

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: – and the people that will return and use it again is like 85 or 90 per cent.

So again, we're working on building these collaborative care teams so people will have access to primary care – not just access to family physicians, but the primary care that they need, whether that's in person or through Teladoc, which is available virtually.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, when the emergency rooms are closed, when you can't get access to a primary care physician, I guess people have no choice but to call the number, and that's unfortunate. At the same time, though, there are options.

I ask the Premier: Why are seniors and people on low income being forced to pay out of pocket to see a nurse practitioner?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

I'm sure the Member does realize there are options, as he occupied a leadership role within the health care system himself. But when faced with challenging decisions, when faced with economic, financial versus patient-centred decisions, that Member opposite did not have the courage, did not have the fortitude, did not have patients' best –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

A. FUREY: – interests at heart and he wanted to take out nurses and shut down clinics.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, any time the Premier wants to talk to me about the cuts to health care that this Liberal government made 10 years ago, I'm more than happy to talk to him about it.

SOME HON. MEMBERS: Hear, hear!

T. WAKEHAM: But right now, I'd love to talk about those people who are being forced to pay to see a nurse practitioner.

Last week, the president of the nurse practitioners spoke out and said –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

T. WAKEHAM: – why does Teladoc come ahead of supporting the nurse practitioners on the ground, it's backwards?

SOME HON. MEMBERS: Hear, hear!

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

J. HOGAN: Thank you, Speaker.

I just have to address something that the Member opposite said, I think, a couple of questions ago with regard to diversions. Diversions in emergency rooms are down over the past two years.

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: There are two reasons they're down. One, is Teladoc; one is access to virtual care. The second reason is, despite what he's talking about in term of budget cuts 10 years ago, under this Premier, the budget of health care has gone up every year since he's been here, Speaker.

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: That's why we're seeing things like increased access. That's why we're seeing things like no more diversions, Speaker.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, we'll just keep trying. We will keep trying because we can do better and we will do better.

SOME HON. MEMBERS: Hear, hear!

T. WAKEHAM: Speaker, a confidential briefing note received by my office has revealed shocking details of the internal medicine crisis in this province.

Speaker, at the Carbonear General Hospital one doctor who hadn't slept in 48 hours was left supervising 45 patients. Speaker, the note describes – quote – unsafe conditions.

I ask the Premier: Do you agree?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

Let me take an opportunity to address the preamble once again. Not only was he CEO, a leader –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

A. FUREY: – he was VP before that.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

I heard the question; I'd like to hear the response.

The hon. the Premier.

A. FUREY: Certainly, we can do better than cutting nurses. Certainly, we can do better than cutting clinics in Labrador. Certainly, we can do better than pretending the iPads are going to be a solution to providing care in Labrador, Mr. Speaker.

What I will say about the content of the question after addressing the preamble is that we have heard that situation, the

minister has heard that situation. Just like we've operated immediately to help address the internal medicine issues at St. Clare's. We take the internal medicine issues seriously no matter where they exist and if there are workplace quality issues, then we're happy to address them and we will address them.

SOME HON. MEMBERS: Hear, hear!

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

T. WAKEHAM: Speaker, the note references St. Clare's is over capacity with patients waiting for admission. Central Health is described as the overflow at maximum capacity.

Speaker, are we putting lives at risk in rural Newfoundland and Labrador?

SPEAKER: The hon. the Premier.

A. FUREY: Certainly, we are not, Mr. Speaker. We certainly value the hard-working women and men on the front line in rural Newfoundland and Labrador, as we do in the metro region.

One of the reasons that this government acknowledged that St. Clare's was not big enough and we wanted to make sure that we had definitive action and that's why the whole province needs another tertiary health care centre.

SOME HON. MEMBERS: Hear, hear!

A. FUREY: A campus style that will serve the people of the province, Mr. Speaker.

AN HON. MEMBER: How are you going to man it?

A. FUREY: We will continue with the aggressive recruitment package that we have already introduced and is already paying dividends.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Leader of the Official Opposition.

T. WAKEHAM: Speaker, the note urges Newfoundland and Labrador Health Services and the minister's department to recognize the safety concerns from physicians who are – quote – intoxicated from sleep deprivation because they are overburdened with patient volume and coverage.

I ask the Premier: When are you going to fix this issue?

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Speaker, you know that I have difficulty staying in my seat when the topic of rural nurses comes up and Labrador is mentioned. Not everybody in the House – it is important to look back –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Are the Members ready?

The hon. the Minister of Labrador Affairs.

L. DEMPSTER: Speaker, it's important for this House to know, and for the purpose of *Hansard*, that when we were dealing with the boondoggle left to us by the previous administration and choices had to be made, instead of looking in the backroom to find efficiencies, he reached into the most vulnerable in Labrador.

That was the decision of the CEO of Labrador-Grenfell Health that was going to leave people living in isolated communities without a nurse. It is unthinkable, Speaker. Places where the weather comes in for days

on end, you can't get a plane. I lived it, Speaker.

SPEAKER: Order, please!

The minister's time is up.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: I ask all Members to please keep it down a little bit. It's very difficult to hear the questions, it is equally as hard to hear the answers. So I ask all Members –

AN HON. MEMBER: But there are no answers.

SPEAKER: I don't control the questions; I don't control the responses.

The hon. the Leader of the Official Opposition.

T. WAKEHAM: Speaker, it's deflect, deflect, deflect, deflect, deflect.

So let's get on with it again. Let's ask another question out there right now for the people of Newfoundland and Labrador.

Western Newfoundland and Labrador is described at full capacity and 64 alternate level of care patients in the beds.

Let me ask again: Why aren't you utilizing the old western memorial hospital for these alternate level of care patients?

SPEAKER: The hon. the Minister of Labrador Affairs.

L. DEMPSTER: I have one more point to make, Speaker, that I haven't brought to the floor, because people bring new information to me all the time when I'm Labrador.

Recently, when I was in Labrador I had a retired nurse say I don't know what we'll ever do if that man becomes leader, because he would be cut, cut, cut. When we went in the room and met with leadership in

the room what did he say? He threw all the nurses under the bus in that room –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Take your seat, please.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Are Members ready? If you want to waste Oral Questions like this I don't mind. You've got 30 minutes.

Minister, you have 25 more seconds.

L. DEMPSTER: (Inaudible) the point being, so there were a lot of cuts that were happening at the time. When there was a meeting called with the leadership in Southeastern Labrador, Speaker, and the leaders were asking why certain things happen. The Member opposite looked at the nurses and said: Why isn't this done? Basically threw them under the bus. That's important. When tough decisions have to be made, we have to own the tough decisions.

I'm happy to be serving under a government where we continue to increase the budget in health care –

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The minister's time is expired.

The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

The alternate universe is alive and well across the way.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: I have no other words, Speaker, I can't say anything else, I'm speechless.

Last year, this government spent more than \$100,000 on trips to Ireland to recruit

physicians. Only one physician was recruited, Speaker.

Minister, I ask: Where's that physician today?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

That recruitment initiative was not just about individual physicians, it was about students. I'm happy to say that some have actually signed up for our return-in-service agreement for the family practice.

SOME HON. MEMBERS: Hear, hear!

A. FUREY: What that means is they do their medical school in Ireland and then they come here to do their family practice training in Newfoundland and Labrador for two years. Then they sign a return of service to the people of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: So just to confirm, we had one doctor. What we're talking about is aspirations. We don't know if they're ever going to come. This is what –

A. FUREY: They're here.

B. PETTEN: Oh, they're here. But they're not practising, Premier.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

B. PETTEN: The doctor recruited was an internist who went to work at St. Clare's. Speaker, we've been told he lasted a week – one week. He saw one patient and then he quit.

Can you confirm that, Minister, or Premier?
Fill you boots.

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

J. HOGAN: Speaker, as the Premier said, when any resident starts the program, they're not physicians yet. They have to do their residency, they need to be qualified. You can't just take people off the streets and say, here you be a doctor, you be a doctor. If that's how they're going to recruit doctors if they're in government, no one's going to be left here. There's not going to be any health care for anybody.

SOME HON. MEMBERS: Hear, hear!

J. HOGAN: With regard to internists, as I've said in the House a couple of times, there has been an alternate payment plan or sessional plan put in place at St. Clare's here in St. John's, with a plan to then leverage that throughout the rest of the province. As I've said in the House, again, on numerous times, IMs are the most difficult practising physicians in the country to recruit. We are doing our best efforts to help them and work with them.

We talked to the CEO of NLHS this morning actually about this issue and about how to provide incentives for rural Newfoundland physicians to work. The incentives are larger for rural Newfoundland and Labrador than they are for the city, Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: The government with no plans. Here we go again.

Speaker, this was \$100,000 chunk that the former minister went on to Ireland and he

come back with one doctor, and the doctor seen one patient, then he quit.

So I guess my question is: There are incentives involved; does he have to pay back those incentives, Minister?

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

J. HOGAN: Speaker, I just wanted to add a point about IMs, is that we added seats at Memorial last year for IMs who are international graduates. In fact, international graduates last year were mostly from – guess where – Ireland.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Speaker, but they're still not answering the question I'm asking. I think it's a very important question because last year, the former minister was patting himself on the back on the big trip to Ireland and all the recruitment. He discovered this one doctor, and that doctor was going to solve all the world's problems. We realize that was only smoke and mirrors, which you see a lot of with this government and this Premier.

Speaker, we also understand several other internists at St. Clare's are on leave or have been resigning citing workload and lack of supports. Internists have previously written the former minister outlining many issues related to internal medicine in the province, all adding to the urgency to act.

Why did the Liberal government, the Premier and minister ignore this letter?

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

J. HOGAN: Speaker, as I said, there are incentives in place for IMs in rural Newfoundland and Labrador. Those incentives are higher for that part of the province than they are for the city. There's an additional sessional payment plan now in place for St. Clare's that will be a leverage to an alternate payment plan for IMs throughout the province. We've added seats to Memorial University for international graduates, specifically for IMs.

So if you want to know what the plan is, that is the plan. There are more people here now from Ireland that are working towards being IMs. The plan is working. We are recruiting and we will retain these physicians.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Mr. Speaker, and the plan is not working, Minister.

Minister, you could have seen the problem with internal medicine specialists from a mile away. Over the past few weeks, several physicians have had to call on multiple hospitals to transfer patients. In some cases, they are being turned down because the receiving doctors are overworked.

Minister, what is the plan to stabilize health care services in Eastern and rural Newfoundland and Labrador?

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

J. HOGAN: I'll say it again, but it's in *Hansard*. It's in *Hansard* from last week; it's in *Hansard* from the week before. This government has added seats at Memorial University for international graduates which includes specifically, IM physicians. As I've said, they're the hardest physician class to recruit in the country.

The incentives for these positions are higher in rural Newfoundland and Labrador, which is where that Member wants people to go. Maybe he should pick up the phone and tell people about the incentives in his area, rather than just complain about the fact that there are none there.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Minister, I picked up the phone and told you about the problems in my area and nothing has still happened.

SOME HON. MEMBERS: Hear, hear!

L. PARROTT: If patients from my district are lucky, they're sent to Carbonear. There they're going to be greeted by a doctor who's not slept in 48 hours. He has four ICU patients in their care and 41 in-patients – one exhausted physician for 45 patients.

Again, why is the minister allowing unsafe conditions in rural Newfoundland and Labrador?

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

J. HOGAN: Speaker, they keep asking the same question; I'm not going to change my answer. We are doing everything we can to recruit physicians to rural Newfoundland and Labrador. The way we've done that is to provide incentives for physicians to work in rural Newfoundland and Labrador. Those incentives are higher than for working in St. John's or urban areas of the province.

We increased seats for international graduates who can then come to Newfoundland and Labrador as IMs, do their residency here and work in these facilities. We have a sessional rate at St. Clare's, which now we'll leverage to an

alternate payment plan for IMs throughout the province.

That is the plan. I look forward to the question again and I bet you the same answer is going to apply.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Minister, if we never raised this from back in July, there would be no plan. For the past few weeks, we've been talking about inconsistent internal medicine coverage at G. B. Cross. Now, we know as of December 16 we'll have no doctors to admit medical patients at G. B. Cross in Clarenville.

Minister, why don't you tell me the plan for that?

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

J. HOGAN: I know when I was practising once a judge said to me that history is a good predictor of the future. That's very clear here. We know the question we got then; we know the question we're going to get afterwards.

Speaker, it has nothing to do with the fact that he wrote me this summer about this issue; I appreciated that he raised some concerns. The plan about international graduates at MUN, that was in place before I became minister. These plans have existed since the Health Accord.

This is a great plan. This is working. Some of the specifics related to IMs and rural physicians in Newfoundland and Labrador I've outlined here maybe once, twice, three, four, five times, I think, now, Speaker.

I can continue to do that but *Hansard* is there for the record. He can read that as much as he wants because he's going to continue to ask it.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: So the Minister of Health understands a hospital admits patients into the medical ward. What the question was had nothing to do with internal medicine. We have no doctors in Clarenville as of the 16th of December.

What happens to in-patients? I'll say there are over 30 in-patients. They're already admitted. Are they going to be shipped to overburdened St. Clare's, overburdened Carbonear? What are you going to do with them?

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

J. HOGAN: Thank you, Speaker.

NLHS works constantly on making sure that appropriate care is provided throughout its facilities throughout Newfoundland and Labrador. In the event that there are possible gaps or predicted diversions, then NLHS comes up with alternate plans for that.

They make sure that the care is going to be provided. Unfortunately, sometimes a patient may have to go another facility that's not quite as close to their hometown. That's a great thing that they're able to do that but, of course, that doesn't mean that we stop recruiting and retaining physicians so those gaps don't happen in the future.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: The Minister of Transportation and Infrastructure stated in this House of Assembly on November 7 that he knows that Route 60 in the Harbour Main District is busy with a high volume of traffic, yet he refuses to make a commitment to have Route 60 resurfaced from the roundabout in Holyrood to the bowling alley in Kelligrews.

Can the minister finally make a commitment to resurface this deplorable road in next year's road plan?

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

F. HUTTON: Thank you, Mr. Speaker.

I remember the Member opposite asking about this a little while ago and I think there was a petition and I responded to it and at that point in time I said yes. As a matter of fact, I was back and forth with a Member of that area over the weekend by email who had written me to ask if it was going to be looked at in the coming year and my answer to him was yes, we'll look at it.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Hopefully, Speaker, looking at it will mean that there's action. But again, on November 7, in the House of Assembly, the minister also acknowledged that my office has been in contact with his office. As a matter of fact, Speaker, I currently have 16 open files with maintenance inquiries submitted to Transportation and Infrastructure. Some of these files are months and even years outstanding.

Will the minister give the people of the Harbour Main District assurances that these

regular maintenance items, like ditching, brush cutting, culvert replacement and pothole repair will get addressed immediately?

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

F. HUTTON: Thank you, Mr. Speaker.

The quick answer is yes. In the very near future, we're going to be contacting Members opposite as we get ready for our roads plan for 2025 and looking for input from them, as we will from all Members of this hon. House, to see what work will be done and what money will be spent in the coming year in our budget, Mr. Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, these weak non-answers further confirm why we need a change in government.

SOME HON. MEMBERS: Hear, hear!

H. CONWAY OTTENHEIMER: I hear from my constituents and they are telling me that the issue with Transportation and Infrastructure not getting regular maintenance items completed is because the department doesn't have the proper equipment to do the work. The equipment is either in for repairs or just too old to repair. Snow season will be here any day.

I ask the minister: Can you provide assurances to the people of the Harbour Main District and the province that these depots will be fully equipped and ready for this upcoming winter season?

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

F. HUTTON: Mr. Speaker, first of all, I'd like to address the preamble about a weak answer. If the answer yes is weak, I don't know what else I could say –

SOME HON. MEMBERS: Hear, hear!

F. HUTTON: – to the residents of Newfoundland and Labrador. We are going to look at it. We are going to look at all areas of the province.

As I've stated before, there are 9,700 lane kilometres of road in this province. We have a dedicated staff. Right now, our capacity is about 80 per cent; we are operating above that in terms of the equipment. We've bought new equipment to maintain the roads, for ice control, for snow removal throughout the coming year.

The answer again – the Member opposite may think it's weak – is yes, of course, we will look at it. Safety is our top priority.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

Speaker, the twinning of the Trans-Canada Highway between Bishop's Falls and Grand Falls-Windsor was announced in May 2023, yet only brush cutting has been completed to date. While brush cutting is needed, residents were promised a divided highway over the last year. There is no pavement.

When will the residents be able to drive on the long-overdue divided highway?

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

F. HUTTON: Mr. Speaker, part of the process of building a highway is to clear part of the road in order to put the highway there, to do the geotechnical work that is required to do it; that work is underway. We

awarded contracts. We doubled our brush cutting budget this year from \$2 million to \$4 million and then had an additional \$3 million for the twinning, which will take place in two locations, plus another area that will be done in Port-aux-Basques to extend the passing lane off the ferry.

Mr. Speaker, in the coming year, you will see more RFPs coming out and you're going to see lots of construction and work happening.

SOME HON. MEMBERS: Hear, hear!

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

J. DWYER: Speaker, the Red Harbour West River Bridge is reduced to one lane, yet government has placed 80,000 pounds of concrete jersey dividers on the bridge.

Why is one lane closed to weight restrictions, when the bridge can handle 21 jersey dividers?

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

F. HUTTON: Mr. Speaker, our safety teams who work with the engineering firms – and I've discussed this with the Member opposite prior to the House of Assembly being open – this is the safest option that they have recommended and, obviously, we are going to go with the safest option that is recommended.

The bridge will remain open throughout the winter months, obviously, and work will be continuing to upgrade it as it's required.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Thank you, Speaker.

Speaker, the lack of accessible housing units and the inability of the province and the city to work together has real consequences for people.

Rhonda Whalen receives income support, but lives in St. John's housing. Since having one of her legs amputated a year ago, Rhonda suffered a stroke, is confined to a wheelchair, has been forced to live downstairs without access to the bathroom on the second floor, is forced to use a commode and use the kitchen sink for personal bathing.

I ask the minister: How much more indignity and trauma must Rhonda suffer before either the Department of Housing or CSSD and city officials work together to secure accessible housing for Rhonda?

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

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

It's a difficult situation that the Member raised concerning the individual in his district, but we've had conversations with the city. We've provided funding to the city and they are going to make sure they've got one of their units remodelled to support the individual in an accessible unit.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Speaker, I spoke to Rhonda on Friday and no such offer has been forthcoming or any indication.

Her greatest distress is the fact that she's been separated from her granddaughter, who she has cared for since her mother died, and will not be able to spend Christmas with her.

I ask the minister: What supports will he put in place so that Rhonda can be reunited with her granddaughter and be able to care for her and herself?

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

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

Again, a difficult situation and certainly aware of that. As I said, I had a conversation with the mayor. The individual is in a City of St. John's unit. We are trying to work with the city and are working with the city to make sure that the needs of the constituent can be addressed in as quick a period as possible.

Will that be before Christmas? I can't, obviously, guarantee that, but the city of St. John's has the responsibility to respond and they are responding.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

Speaker, with the recent threats of tariffs by the United States, many businesses in Newfoundland and Labrador are worried, especially those involved in cross-border trade.

I ask the Premier: What steps is government taking to help businesses navigate these challenges and what strategies are going to be put in place to mitigate the impacts, if these tariffs come on our economy?

SPEAKER: The hon. the Premier.

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

Of course, it's a concern of everybody in Newfoundland and Labrador. I have spoken with the Member, but I am happy to tell the entire House that we did convey a group of stakeholders that would be impacted by potential tariffs. One of the feedback elements that came from that discussion was to have a potential contingency should the tariffs come into place.

Right now, we're still looking at that. We're very hopeful that there can be a diplomatic resolution and a common understanding that tariffs will only hurt both sides of the border.

I can tell you this, Mr. Speaker, and I tell every Newfoundlander and Labradorian, that we will stand up for the industries in Newfoundland and Labrador to ensure that they are appropriately represented.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Speaker, given the challenges that the US tariffs will impose, I ask the minister responsible: What steps are being taken to help Newfoundland and Labrador businesses expand their trade opportunities to European markets? Are there any initiatives in place to help those access international markets and reduce our reliance on the US market?

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

SOME HON. MEMBERS: Hear, hear!

A. PARSONS: Thank you, Speaker.

I'm happy to stand up for my first question in this session.

SOME HON. MEMBERS: Hear, hear!

A. PARSONS: What I would say to the Member is, it's a very good question,

certainly being at the manufacturers and exporters conference on Friday, hearing from mining companies, the reality is that it would be a significant impact on us.

What I can say is that we are constantly looking at opportunities abroad. In fact, recently, we had 28 different heads of state from around the world here in Newfoundland and Labrador to look at opportunities that we can help them with.

The other thing I would say is we are consistently and constantly supporting local business to attend trade shows, to attend conferences throughout the world and we'll continue to do that.

So I would say to any business out there that may be impacted, reach out, give us all call and we'll certainly do our best to help.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

J. DINN: Speaker, in answer to my question on November 13, the Minister of Housing said the wait-list for NLHC units has not grown. In an interview with VOXM today, the minister admitted the wait-list has grown and his department is struggling to meet demand.

Will the minister commit to giving the NLHC the money it needs to hire the workers to complete the renovations and repairs of NLHC units before the end of 2025?

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

J. ABBOTT: Thank you, Speaker.

I suspect the Member is playing with some words. Basically, our wait-list is around 3,000 and it's on either side of that over the past couple of months. We are working very

hard to address our repairs on our units. The budget has been increased and we are turning those units over very quickly.

Last year, we were over 300 units that were vacated. There were over 300 repaired and put back into the portfolio. This year, we are on the same track and we are continuing to do that.

The number of units now that are long term and large repairs are down to 50 and we are trying to bring that to zero as quickly as possible.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The time for Oral Questions has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Notices of Motion.

Notices of Motion

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

T. WAKEHAM: Speaker, I stand to give notice of the private Members' resolution that we will debate on Wednesday, December 4.

It is moved by the MHA for Stephenville - Port au Port, seconded by the MHA for Bonavista:

WHEREAS the Seniors' Advocate has said that seniors in this province have the lowest income in Canada; and

WHEREAS the Seniors' Advocate has stated that the cost of living for seniors has increased by 22 per cent; and

WHEREAS the Seniors' Advocate has outlined that despite the Newfoundland and Labrador Seniors' Benefit being raised by 15 per cent, in reality, the purchasing power of seniors has fallen behind by 7 per cent; and

WHEREAS the most recent status update from the Seniors' Advocate demonstrates that the recommendation to annually index the Newfoundland and Labrador Seniors' Benefit has not been implemented; and

WHEREAS the Seniors' Advocate compassionately and correctly states that one-third of seniors in Newfoundland and Labrador cannot afford necessities, with many cutting pills in half or not eating nutritious food; and

WHEREAS the Seniors' Advocate has said that seniors are getting poorer annually while costs continue to rise;

BE IT RESOLVED that this hon. House urge the government to increase the Newfoundland and Labrador Seniors' Benefit by 20 per cent, for a maximum of \$1,819, effective January 2024 and further commit to annual increases indexed to inflation.

Thank you, Speaker.

SPEAKER: The hon. the Opposition House Leader.

B. PETTEN: Thank you, Speaker.

That resolution just read in by the Leader of the Opposition will our resolution for PMR day, Wednesday, this week.

Thank you.

SPEAKER: Further notices of motion?

The hon. the Minister Responsible for Labour.

L. DEMPSTER: Speaker, I give notice that I will on tomorrow introduce a bill entitled An Act to Amend the Fishing Industry Collective Bargaining Act No. 2, Bill 104.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Further notices of motion?

The hon. the Government House Leader.

J. HOGAN: Speaker, I give notice that I will on tomorrow introduce a bill entitled An Act to Amend the House of Assembly Accountability, Integrity and Administration Act No. 2, Bill 103.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I give notice that I will on tomorrow move the following resolution:

Be it resolved by the House of Assembly as follows:

WHEREAS section 85 of the *Access to Information and Protection of Privacy Act, 2015* provides that the Office of the Information and Privacy Commissioner shall be filled by the Lieutenant Governor in Council on a resolution of the House of Assembly;

THEREFORE be it resolved that Kerry Hatfield be appointed as the Information and Privacy Commissioner, effective December 5, 2024.

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 Bonavista.

C. PARDY: Thank you, Speaker.

For years, the communities of Route 235 had a memorandum of understanding with government that the snow plow would be strategically stationed in King's Cove to respond to emergencies.

With the absence of 24-hour snow clearing, this plow would be deployed in minutes for fire or medical 911 calls in order to provide assistance during bad weather. Otherwise, residents of the region can count on well over an hour for an emergency response.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to explore every option to have this plow restationed in King's Cove.

We've got a bill coming up in the House, Speaker, either today or tomorrow, entitled *Public Safety Act*, Bill 95, where we make sure we look after the public safety in Newfoundland and Labrador. This plow has been stationed in King's Cove for well over 50 years because it makes good sense to be stationed there, that if there's an emergency call, they could respond. This government took it away last year. They removed that plow while the options existed to have it located in King's Cove.

So what happens now in Route 235 going up the Bonavista Bay side? The person would have to travel 22 kilometres before the ambulance leaves Bonavista to get to the depot. Once they get to the depot to get to the truck, they'll then have 22 kilometres to get to King's Cove where the fire and emergency people would be coming from their depot.

The ambulance would have to come behind and get from Bonavista to King's Cove. While we have response times in St. John's, which they are to be commended for 15 minutes response times, there is no way in inclement weather that an emergency response vehicle could get to either of the

communities in 235, during inclement weather.

Whether you be in Tickle Cove, Open Hall, Red Cliff, whether you be in Plate Cove East, Plate Cove West, King's Cove, Keels, Duntara, Knight's Cove, Stock Cove, you can't expect an emergency vehicle, during that inclement weather. I would say the options for this memorandum of understanding, that was in existence for over 50 years, was in last year, it occurs this year and we fail to see why the government has not made it happen.

Thank you, Mr. Speaker.

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

F. HUTTON: Mr. Speaker, I thank the Member opposite for this and I just want to mention that there is actually no depot in King's Cove. The decision was made because the person who was using the plow there and operating and working for Transportation and Infrastructure actually lived in that community and that's why it's there. So that's why the decision was made after this person retired.

SOME HON. MEMBERS: Hear, hear!

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

P. DINN: Thank you, Speaker.

Speaker, I've presented this petition many times as well.

WHEREAS Route 60, through Topsail, is a heavily populated area with physically active residents; and

WHEREAS residents and young children who walk to school daily are finding it very unsafe with the deplorable state of erosion along the shoulders of Route 60 through Topsail;

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 find a more permanent solution and install curb and gutter to the areas affected by erosion.

I've only been here a short time, really. It seems like a short time. It's probably approaching six years. But in those short six years, I've dealt with four separate ministers of Transportation and Infrastructure. Of course, we have a new minister responsible now and I'm hoping to have a discussion with him on this.

But this section of road and curb is probably a kilometre and a half to two kilometres. It comes down over Topsail Hill, around the bend and out towards the school. In heavy rainfall, the shoulder gets heavily eroded. The road is pitted with potholes that we do call the department on and they do come out and repair the potholes. But the problem is a more permanent solution for this is what's required.

I understand the Town of CBS and the government have been having discussions on determining if CBS could take over the road. But it's like selling a car. If you're going to sell a car, you have it detailed first. This road here is in a mess and, really, government is still responsible for Route 60. I would expect government should be doing some more permanent repairs to this road and putting in curb and gutter where it's needed because one side of this road is total gravel that gets eliminated, especially given our last month of rain, that's gone. I've come across individuals who have – well, one elderly lady broke her ankle walking the road there.

So this has been a long time coming. I've, again, spoken with at least four separate ministers of Transportation and Infrastructure. I would hope, with the current minister, that there will be some work forward to come up with a more permanent

solution to this because it is desperately needed on a road that is heavily travelled by both vehicles and pedestrians alike, as well as young schoolchildren.

Thank you.

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

F. HUTTON: Mr. Speaker, thank you very much for the opportunity to speak to this.

The Member opposite is accurate in stating that our officials, including myself, have had conversations with the Town of CBS about Route 60, specifically. As I mentioned during Question Period, I had an email exchange with a resident who was asking about that as well.

My response to the Member opposite: Yes, I am the fourth minister of Transportation and Infrastructure since he's been here. I'll take his word on that. But I will be looking at all roads in Newfoundland and Labrador.

Again, I say this and I mean it, safety is a priority for our department, not just for me but for all the officials and the bureaucrats who work in Transportation and Infrastructure.

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

P. LANE: Thank you, Speaker.

The background for this petition is as follows:

Over the last number of years, there appears to have been a noticeable increase in crime within the St. John's metro region. While much of it has been centered around break-ins into vehicles, sheds and residential dwellings, which many people attribute to individuals attempting to feed their drug addictions, there has also been several instances of violent crime.

Within the City of Mount Pearl, there have been instances of teenagers being attacked on the trail system and, just recently, there were two separate instances of adults being seriously assaulted by a group of out-of-control teens, allegedly including the use of weapons. What is even scarier about these latest incidents in Mount Pearl is that they appear to have been unprovoked, random acts of violence on unsuspecting law-abiding citizens.

As a result of these incidents, many people in Mount Pearl no longer feel safe in their community. They're afraid to go for a walk on the city's beautiful walking trails and are in fear for the safety of their children and their elderly parents.

While these latest incidents have had an impact on the people of Mount Pearl, it is recognized that many communities in the St. John's metro region are experiencing similar issues. It is also worth noting that while violent crime has been on the rise, policing levels have actually decreased over the past two years.

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 allocate funding for the provision of additional police resources within the St. John's metro region to help combat violent crime and the associated public safety concerns; to further urge the government to work with their other provincial counterparts throughout the country to lobby the federal government for a review of the *Criminal Code*, the *Youth Criminal Justice Act* and their associated sentencing guidelines to result in greater accountability for repeat and habitual offenders, as well as those who perpetrate violent crimes; and to urge the government to prioritize resources in dealing with some of the factors which can contribute to these criminal behaviours such as poverty, housing, mental health and addiction, rehabilitation and reintegration

and appropriate resources in our school system.

Mr. Speaker, I think we've all heard of the incidents that have occurred in Mount Pearl. It says here in the petition, too, there actually was three. Another one came to light that happened a couple of weeks prior to that, a similar assault to the other two that happened at a business on Commonwealth Avenue.

It is certainly not something we're used to seeing in our community, generally speaking, but they did happen and, as is indicated in the petition, people are very concerned. There is a lot of fear out there. I know it's not just happening in Mount Pearl. We know that drugs are on the rise and we've seen violent incidents certainly in St. John's and the whole region. People chopped up and put in a suitcase. We've had armed standoffs. There have been drive-by shootings in our communities, something we've never seen before, and we just need to ensure we have the appropriate resources.

So I say it to the Minister of Justice, budget is coming up, time to look at more boots on the ground for the RNC in the metro region.

Thank you.

SPEAKER: The hon. the Minister of Justice and Public Safety for a response.

B. DAVIS: Thank you, Mr. Speaker.

I thank the hon. Member for his petition and the many people who have signed his petition.

But let me, first of all, say thank you to the women and men in our great policing agencies that we have in our province and, in particular, the RNC. In this particular case, I think that happened and less than 48 hours later those individuals were apprehended, charges laid and working through the criminal justice system. I do

thank the hon. Member for pleading the case that's already been plead. We're working very hard on it.

In the last three weeks alone, we've announced some \$46 million in policing resources in this province.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: Those resources have not taken full effect yet; they are starting to. There is recruitment out there. There are people getting trained for out in those positions, but let's even rewind a little bit further than that. Over the last three years, we've put an additional \$40 million with the RNC and the RCMP, those two police forces, alone.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: That brings the total to the RCMP of about \$95 million a year to provide policing in this province, to about 80 per cent of the geography and then the remaining \$75 million to the RNC that police about 20 per cent of the geography in this province. Do I agree that crime is on the rise? Absolutely I agree with that. That's why we're making those investments now.

In that \$21 million, we've started another joint task force that will attack guns, drugs and contraband. Those are three of the major things that perpetuate crime in this province. We're attacking those. We've got a joint task force with five RNC officers, five RCMP officers, put in this area of the province, in the Avalon region where we know it's – we've put a leadership position in place (inaudible) –

SPEAKER: Order, please!

The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

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

J. DWYER: Thank you, Speaker.

The background to this petition is as follows:

WHEREAS there have not been any improvements in Wi-Fi and cell service throughout the District of Placentia West-Bellevue for 10 years;

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 formulate a plan to improve Wi-Fi and cell service issues throughout the District of Placentia West - Bellevue affecting fire and emergency services, tourism, business, medical services and personal use that does not meet today's standards and expectations.

Speaker, this is signed by people of the English Harbour East town. I was just there, recently, last week for a meeting. This is one of the towns that I think had been getting some improved cell service. When we were down there, I wanted to bring in my assistant so that she could be part of the meeting. There was that much difficulty trying to get her on the phone, just to have her on the speakerphone, that it, kind of, didn't really work out because it was very intermittent, the voices and stuff were.

So that's just in that area. English Harbour East is 32 kilometres off the Burin Peninsula Highway. Most of the towns in my district are off a branch. Therefore they're not, necessarily, close to cell towers but we just don't have enough cell towers. I don't understand how we're trying to improve industry and we don't have that opportunity for them to be able to call from any remote areas or anything like that. Not only remote areas, but right in the middle of some towns. It's just unbelievable to me that we're so far behind on today's standards when it comes to that.

The biggest one is that we just heard in Question Period about Teladoc and medical

services and stuff like that. That's okay if you have Wi-Fi and cell service but when you're in a town like Little Harbour East, Fair Haven, Grand Le Pierre or Terrenceville, all these towns deserve to be treated the same as any other town. They're in remote areas. The need cell service, not only for personal use, but then also the tourism industry is very reliant on Wi-Fi and cell service because we want people to enjoy the experience, no different with the amenities they would have at home.

So I really would implore the Minister of IET to have a look and let us know what the plan is for Placentia West - Bellevue and, furthermore, for the whole province because there are a lot of dead areas when it comes to Wi-Fi and cell service in the province.

Thank you, Speaker.

SPEAKER: The hon. the Minister of Industry, Energy and Technology for a response.

A. PARSONS: Thank you, Speaker, and I appreciate the petition from the Member opposite.

One of the biggest challenges we face, alongside many issues that are not covered by one jurisdiction is the fact that this is, as I've said many, many times before, federally regulated. It's not just a provincial purview issue. The other fact is that we are dealing with private industry.

Now, we've taken a number of steps over the last number of years when it comes to making increased investment in cellular coverage or in Wi-Fi hotspots. One of the issues we have is that we had to continue to go to the private industry to talk about what they are doing, what they are bringing to the table.

As it relates to Placentia West - Bellview, what I will say is that we have, over the last number of years, had partnership projects where the provider will fund so much and

the municipality can fund so much. I don't have a list as to whether any of the communities in Placentia West - Bellview actually applied to the program or not. These municipalities absolutely could apply. What I can do is endeavour to go back to the department to get the list to see if they are there.

What I would say to the Member is feel free to have communities reach out to discuss creative ways that we can increase service in these areas. It's not just always cellular coverage. Sometimes there are other ways that we can do this.

So again, we're continuing to work on this. I will note it's frustrating. The bad thing is it's not just shared by that district. We have seen degradation in many other areas. So we'll continue to work with the federal government and we'll continue to work with the providers to ensure that we're not seeing a decrease in service. We all want an increase in service.

Thank you.

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

J. DINN: Thank you, Speaker.

Speaker, this is a petition to introduce legislation recognizing housing as a human right. These are the reasons for the petition:

Concerned citizens of Newfoundland and Labrador urge our leaders to take action to address the issue of homelessness throughout the province. Growing numbers are ending up in for-profit emergency shelters, which are costing taxpayers millions of dollars, out of desperation.

In 2019, the Parliament of Canada passed the *National Housing Strategy Act* which declared housing as a human right. More recently, the Federal Housing Advocate, Marie-Josée Houle, stated in her report *Upholding dignity and human rights* that the

human right to adequate housing is an obligation affirmed in international human rights law, including in treaties that Canada has signed and ratified, as well as in human rights declarations and other applicable international norms and standards and has called upon all levels of government to adopt a human rights approach to the housing crisis.

Therefore we, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to introduce legislation recognizing housing as a human right.

Speaker, I also draw attention then to the *St. John's Community Plan to End Homelessness 2024-2028*. It talks about here again the Federal Housing Advocate's office, ensuring the right to housing means creating 4.4 million homes in Canada that are permanently affordable and accessible. If the three levels of government can't work together to ensure an adequate supply of housing, the right to housing as not been realized.

I would say then that, in this province, the right to housing has not been realized and I draw the attention back to Rhonda Whalen about accessible housing. We started pushing for her situation almost a year ago to get that rectified and, Speaker, she is still in a unit that's inaccessible. She can't get out of it without the use of an interfacility transport, she's separated from her granddaughter and she is basically forced to live with indignities.

So it's great to be able to say that it's an unfortunate situation but I think if we're going to recognize housing as a human right, then it's making sure that people, like Ms. Whalen, have the housing they need to meet their needs and that they can be together with their family. That's as simple as it comes and to address it as quickly as possible.

There has got to be some way too that the city and the provincial government housing departments can work together to actually address some of these issues. This has gone on for too long because they have not been able to work together. It's as simple as that.

I addressed this situation. I think, if I remember the one study, 4 per cent of public housing is accessible. At some point, that's got to be increased. It's as simple as that. It has got to be increased. I understand there are repairs being made, but we have too many houses that are out of service and in need of renovations, but if we're going to address the issue, then maybe making sure that the houses, as they're renovated, are accessible.

We had an opportunity with Livingstone Street –

SPEAKER: Order, please!

The hon. Member's time has expired.

J. DINN: Thank you.

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

T. WAKEHAM: Speaker, I just wanted to stand up and correct the date on the PMR that I said earlier. It's effective January 2025.

Thank you.

SPEAKER: Thank you.

Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Government House Leader.

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

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, that An Act to Amend the Lands Act No. 2, Bill 68, be now read a third time.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

CLERK (Hawley George): A bill, An Act to Amend the Lands Act No. 2. (Bill 68)

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

On motion, a bill, "An Act to Amend the Lands Act No. 2," read a third time, ordered passed and its title be as on the Order Paper. (Bill 68)

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Order 3.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Minister of Municipal and Provincial Affairs, that An Act Respecting Licensed Practical Nurses, Registered Nurses, Registered Psychiatric Nurses and Nurse Practitioners, Bill 87, be now read a third time.

SPEAKER: It is moved and seconded that Bill 87 be now read a third time.

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

E. JOYCE: I am going to speak for a second, Speaker.

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

E. JOYCE: Mr. Speaker, this is concerning the nurses and I'm talking about the nurse practitioners in the Province of Newfoundland and Labrador.

There were questions asked today and you could see how this is nonchalant for the government. This is very concerning for me. It's extremely concerning, and I'll tell you why. Here we stand up and talk about the seniors in the province. Most of the people in this province, I know in Western Newfoundland, that are using nurse practitioners are seniors. To be nonchalant when the Leader of the Oppositions asks a question about allowing nurse practitioners to bill the government so the money don't come out of their pockets and the nonchalant attitude is disheartening. It's actually disheartening.

I sang out to the Premier – and I don't usually shout across the House, but I shouted out to the Premier of the province – I listened to all the answers. I said to the Premier, come out and tell the seniors to their face. Come out and tell them to their face.

SOME HON. MEMBERS: Hear, hear!

E. JOYCE: If you want to sit in your chair and laugh and smile and talk about something else which don't affect the seniors when the Leader of the Opposition asked the questions about nurse practitioners, getting on talking about what he did in 2015 while those seniors are suffering, don't have a doctor, can't get in

emergency because there's not enough room, I can tell you it's frustrating. When the Premier of this province and nurse practitioners –

AN HON. MEMBER: (Inaudible.)

E. JOYCE: It is relevant. This is about nurses. Yes, it is.

Come out and meet with them. Come out, I'll arrange the meeting. So when you have nurse practitioners in this province willing to supply a service, in the nighttime, on the weekends, because of the need and we have to ask a question to the Premier and he talks about something in 2015, which wasn't even true, because we were the ones who asked the health care corps to give us three options so we could make the decision.

It wasn't even true what he was talking about. It wasn't even true. I was there – I was there. We asked for the three options. We asked for the options, when we brought down the 2016 budget, which wasn't a good budget. I agree that it wasn't, but we had to do what we had to do.

So getting back to the nurse practitioners – I don't care what the reasons are. The government has control; they can do it. They can make that decision. But when a serious question is asked about it and pass it off, and I can see the seniors, in their face, don't know if they can go because they can't afford it. They go get blood work; they have to go back for another one. And the nurse practitioners have to find some way to keep the door open supplying services because of lack of doctors. They can't get into emergency, trust me.

I know one person who wanted to go to the media. He was escorted out of the hospital. The next day they sent a nurse over to his house and they told him and the person with him we don't have a bed for you; you can go in this room if you really want to. But they moved him out because someone more

urgent needed it. Then they told him we'll get you escorted out. He actually told me that. He's a good friend of mine.

So I say to the government, here we are passing this bill again in third reading and we have seniors who are suffering, we have nurse practitioners who are apparently a part of the Nurses' Union. Then we can make a change in this Legislature and we're not doing it – we're actually not doing it. When questions are being asked it's nonchalant. I tell you it's frustrating. It's actually frustrating.

I always thought – and I've spent a lot of time in this House – whenever there's a problem we try to find a solution to the problem. When it's health care we all get together and find a solution for health care. Here's the Opposition – I raised it many times. The Member for Mount Pearl - Southlands with me, he raised it many times.

We have an easy solution and what did he get? Laugh, nonchalant, don't even want to answer the question. Talking about something that happened 10 years ago, which wasn't even the Leader of the Opposition's fault. We did it. I want to say it and I say it again, I make no bones about it.

SOME HON. MEMBERS: Hear, hear!

E. JOYCE: If you're going to attack somebody on issues, I have no problem, but when you want to make something up to make that person look bad, I know how it feels. I know how people jump on it because of it and it's not happening while I'm here. I will stand up for the truth. The truth was we asked all of them. We asked all the four agencies to give us options on how to make cuts, because we had to make the decision in 2016. That was all a part of it.

So I urge the Minister of Health and Community Services and the Premier, if you really feel that not answering the question and trying to respond by something that

happened 10 years ago is not real, come out and I'll bring you to the seniors. What better way, Mr. Speaker, to get something about the nurse practitioners, to see the real urgency of it, than someone with the courage to sit down with the seniors in a room and let them tell their stories.

Let them tell their stories. Not mine. Let them tell their stories. Let them come up and say why they can't go back. Let them do it. Let them tell them why they can't go back and get the blood work. Why they can't get a follow-up. Because they can't afford it.

We hear in this House on numerous occasions about the cost of living. We're doing stuff. Here is something we can do. If someone says, well – and I don't know who it was last week said some union doesn't want them to do it – I don't know if that's true or not, I don't know, I'm going to be writing to find out. I'm doing that today; there'll be a letter gone tomorrow to find out.

If that is the problem and I don't know –

J. HOGAN: (Inaudible) district.

E. JOYCE: So I can say it on the record that the Minister of Health and Community Services just told me that the reason why you won't –

J. HOGAN: That's what they said.

E. JOYCE: They said. Who's they?

J. HOGAN: The nurses.

E. JOYCE: The Nurses' Union told you that they don't want to allow the billing because they don't want to lose membership. Is that correct?

J. HOGAN: (Inaudible.)

E. JOYCE: Okay. Can you just tell –

SPEAKER: Order, please!

AN HON. MEMBER: They're opposed to it.

E. JOYCE: They're opposed to it. Well, let me tell you something. If the Nurses' Union is opposed to allowing nurse practitioners to bill so seniors – you want the first person who wants to stand up to go help the seniors, I'll do it. The Member for Mount Pearl - Southlands will take the lead; we will do it.

There are times you've got to make a tough decision. There are times. I can tell you I don't mind making the tough decision. 2016 was the toughest decision that we, as a Liberal government, made. Did we want to make it? No. Did the government at the time have to make it? Yes, but we made it. I was a part of it. I'll stand to be a part of it because with the information, we were in dire straits. I will never ever criticize anybody for that budget; there was a lot of to and fro but we made the decision.

So I say here now to the Minister of Health and Community Services, if we're standing by and the Nurses' Union is opposed to allowing nurse practitioners on the West Coast, I'll stand with you. If there's a protest out there on those steps, the nurses saying that, no, we don't want that, I'll go out and I'll address the nurses myself.

If there's a protest in Corner Brook, I'll be the first one sitting in waiting for them to come into the protest. Do you know why? Seniors and the people who can't afford it, need it. They actually need it. There are times the government has to make a decision that may be tough. This may be tough because you may have some backlash but the benefits are going to outweigh it. There's just no way that anybody can explain to me why you don't let a senior not pay for health care. Why a senior can't go and get the second blood work because they can't afford it. Yet we turn around and say health care is free. It's not free.

There's a doctors clinic in Corner Brook and the seniors, a lot of people, go to the walk-in clinic. They line up 6 in the morning. Speaker, 6 in the morning they line up. No matter what the weather, they have to be outside. If it's stormy, if it's raining, they have to wait to get in line. Then after they're lucky enough to say, yes, you're the first 50 to get in, they have to stay around until their name is called.

Here we have an opportunity. We have an opportunity to change some of that. We have an opportunity to take off the load on the emergency department and this government won't do it. Then someone turns around and says, oh well, we got other methods to do it. You can't. Trust me; it's not working. Trust me because I know the people.

I know the loads out in the emergency room. I know many people who got to go to the nurse practitioner, Speaker. I know a lot. I get called every day.

P. LANE: But we're going to pay \$500 a phone call to Teladoc instead.

E. JOYCE: Then you pay for Teladoc instead.

P. LANE: \$500 a call.

E. JOYCE: \$500 a call.

So I strongly urge the government, on behalf of the people who can't afford it, the people who are less fortunate, the people who don't want to spend two hours out in the rain, snowstorm, get it changed.

I don't care who hears me from the Nurses' Union. I don't care. If they have a protest, I'd be out on the steps talking to them. If they have one in Corner Brook, I'll even be in there sitting down waiting for them, because I can tell you when you have a senior waiting for his blood work and can't afford to go get it, I'll stand up to them. I will stand up to them because I think when you explain

that to the rank and file – and I speak to the rank and file on a regular basis in Corner Brook. For personal reasons within family, I speak to them. They tell me they don't know why it's not done. The rank and file is telling me that.

I got text messages last night 11 o'clock about why isn't it done from nurses. From nurses because some of the people say: well, I can't get my blood work, I have to wait for my cheque to come in – from nurses last night at 11:05. I got text messages from nurses wanting it done because their patients, the ones who they see, show up in emergency – what are you doing here? Well, I couldn't get my blood work. I'm hoping you can get it for me.

That's a fact. It's actually a fact. Then they've got to follow up the blood work. Did it change? Do I need my pills? Do I need the medication increased or decreased? Do I need any extra medication?

So this is not just simple, go and get their blood work, see you later, have a nice day. We all know that. Anybody in this room, whoever went for blood work, there's a follow-up. We all know that – we all know that. Here we are, again, taking this nonchalant – because when the question was asked, today, it actually, disturbed me – attitude of nurse practitioners not being able to bill.

I can tell you that it's not very often that things in here disturb me but, today, that disturbed me. It shouldn't happen – it shouldn't happen. When you want to mock a leader of the party – and there are lots of opportunities that we can go to and fro about something that never happened and trying to put it on his shoulders about something that happened in 2015 and avoid the issue of the people who need the nurse practitioners to be able to bill government, it's saddening.

I can tell you, the Leader of the Opposition can pick up for himself. I know the man for

55 years. You can pick up for yourself. I know that. You can pick up for yourself. I've got no problem with that but when you want to attack him, and then use the seniors on the West Coast and people underprivileged to attack him to sit down and make a mockery of it, it's just not right.

So I'll take my seat and I'll say to the government, I'll say to the Minister of Health and Community Services, if you want to make that decision and if you want to worry about anybody coming, protesting to you or complaining to you, let me tell you I'll have your back.

SOME HON. MEMBERS: Hear, hear!

E. JOYCE: I can tell you when I see the seniors out in Corner Brook, when I see the seniors and other people who need it, I can tell you one thing right now, I'll take it to the hilt. I would do whatever I can to make sure they get proper health care. If it's standing up for any group – any group – I'll do it because that's what we're elected to do is to stand up for the people who are less fortunate.

It's actually sad to constantly have an easy answer because someone don't want it, we're not going to do it. It's just sad. I can honestly tell you, I don't get frustrated too much in here because understand the to and fro but when you're dealing with health care and you're dealing with necessity, when you get people crying on the phone, it's sad.

I just wanted to have a few words about the bill that came through with the nurses and nurse practitioners. I urge the minister and I urge the Premier, next time you're asked a question about the nurse practitioners billing the government, it's serious. It's real. You might not have it in around here, you might not have it in St. John's and you might not know the people, but I can tell you, I do. The Member for Mount Pearl - Southlands do. I know there are Members of the Opposition

– I know one out in Stephenville do. I get calls on there. Out Clarenville way do.

This is a real issue, so don't make a mockery of it. If you make a mockery of it, you're making a mockery of the people who need it the most, the less fortunate.

SOME HON. MEMBERS: Hear, hear!

E. JOYCE: Once you make a mockery of the less fortunate, you lose your way. You forget what we're here for. Trust me, you forget what we're here for. We're here for the people out there, not the bunch in here bawling and shouting. People wouldn't even pay attention to this. A lot of people might not even pay attention to what's going on in here, but the decisions that we make can affect the people that need it.

So I'm asking the Liberal government on behalf of people, please find your way. Remember the oath you swore was to the people of Newfoundland and Labrador to make decisions that are going to be the best for the people of Newfoundland and Labrador. Here's one simple way that we can help a lot of people less fortunate, a lot of seniors, take a lot of pressure off the emergency room – I'm speaking on behalf of Corner Brook and we can do it with a stroke of the pen and we're not doing it. Making a mockery of it, that's just adding insult to injury.

I say to the people of the Province of Newfoundland and Labrador, I'm asking the Liberal government, which I was a part of since I was 12 years old, find your way. Find a way to get this done. Because if you don't find a way to get this done, you're gone that slippery slope where we're in here and then we're losing what we're suppose to do, the oath that we swore to.

Mr. Speaker, I'll take my seat now and I hope that the government will look at this seriously. This is not politics for me. It's not politics one bit. If I ran again tomorrow, I think I'll win. I really think I would win. This

is about the seniors who need it. This is a decision you can make, with the stroke of a pen, the money is there, stroke of the pen.

If there's one group against it, we can take them on. We could tell them why. We could explain it. We don't need to go arguing and fighting with them. We could explain why we're doing it, that's all. I don't mean we have to go out and bash heads or go out and have a big rally and start saying it. We don't need to. I can tell you the messages I got last night were from nurses. They were from nurses. The person I called today, one of the people here, a nurse practitioner wants to but can't bill. The nurses from Cormack are asking me to contact them. So this idea that the nurses are against this, not the ones I know.

So I'll take my seat, Mr. Speaker, and I'll just tell the people that I've been around this a long time. There are times when people lose their way, and I've seen it over my 30-something years of people losing their way, forgetting why we're here. This is one example.

The Liberal government, you're losing your way because there is a way to do this to make lives better. You will save lives. You would take a lot of stress off people. You'd take it off the most vulnerable and that's what we're here for. Please get back to the Liberal way to help the most vulnerable, to help the seniors – that was always the Liberal way.

That was always the Liberal way is take the middle of the road, help the most vulnerable – help the most vulnerable. That's what we were always built on, the Liberal Party. That is the idea I always had. That was the idea of Joey Smallwood when I was going around with his sign.

I say to the Members opposite, don't take this as a political speech, take this as a plea for mercy for the people that really need it that we can do it. I can tell you, the Liberal government, that you will get more

accolades. You'll get more people supporting you by doing this here.

By doing this here, Mr. Speaker, people will get more support. So this is not trying to bash the Liberal government; this is trying to say here's what we can do to help out. So I'm asking you, please, for the final time, find your way in this policy. I know there are a lot of ministers over there that know what I'm talking about, who have been through this. I know the minister of seniors and wellness, you want to do something for this. I know this.

Mr. Speaker –

SOME HON. MEMBERS: Oh, oh!

E. JOYCE: I hate to be shouted over, Mr. Speaker, on such a serious issue. I really do.

E. LOVELESS: It is a serious issue. I'm talking serious, too.

E. JOYCE: I say to the Member for Fortune Bay - Cape La Hune, you're in the Cabinet. You can get it done. You can stand up for it – and I know you want to.

SOME HON. MEMBERS: Hear, hear!

E. LOVELESS: (Inaudible) Cabinet. I'm hearing you.

SPEAKER: Order, please!

E. JOYCE: I know. That's what I'm saying.

SPEAKER: Order, please!

Address the Chair, please.

E. JOYCE: Sorry, Speaker.

So each one of you, take a stand. I know the minister of seniors and wellness and the Minister for Housing, you know how this affects seniors, because you know it. You're probably the most liberal, compassionate

person. I know you are, but this is something you can do.

But you are, seriously. You really are. I'm going back years –

AN HON. MEMBER: (Inaudible.)

E. JOYCE: No, I'm going back years when I knew that Member and I know how compassionate he is. I can go through the whole side over there. I really feel, deep down inside, the Members opposite want this done. Someone has to take that load and carry it in Cabinet. Someone has to do that. Someone has to step up and say, no, we should do this.

It should be done. It really, really should be done. You have to take it seriously, though. But when there's a question asked to the government and it's not even answered, it's a sad state. If you want to stand up on your feet and say here are the reasons why we can't do it, at least you're showing respect. But when you don't even respond to that question and fluff it off, it's lack of respect to the people who really need it.

So I'll take my seat for the final time. I say to the Member for Fortune Bay - Cape La Hune, you got the same thing down your way. Start the ball rolling. I'm after speaking to five or six other Members and explaining it, too. And I know you will. I know you're concerned about people. I know that. I know it. You all are. But we need someone to take that and run with it and get it done, please.

I'll guarantee you right now, I give you my commitment, if there's any backlash from it, I'll be the first one out standing with you. And you know I will because it's so serious for the people of Newfoundland and Labrador, especially seniors, especially the less fortunate.

Thank you, Mr. Speaker, I'll take my seat.

SOME HON. MEMBERS: Hear, hear!

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

P. LANE: Thank you, Mr. Speaker.

I'm not going to take as long as my hon. colleague did. But I do just want to point out the fact, and kind of reference it, my colleague, obviously his concern is the West Coast and the seniors on the West Coast. I know he cares about all the seniors, but he's referencing the West Coast.

I just want to say –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

I ask the Members, if you have conversations, please take them outside.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Speaker, for the protection.

So as I was saying, Mr. Speaker, my colleague, I couldn't agree with him more. He's referencing the –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

I remind the Minister of Digital Government and Service NL and the Opposition House Leader, please, take your conversation outside.

The Member for Mount Pearl - Southlands has the floor.

P. LANE: Thank you, Mr. Speaker.

I'm going to try again. I do agree with what my colleague is saying, but he is referencing the West Coast. I just want to say, just for the record here in the House of Assembly, that this is a provincial issue and it impacts the entire province, including the East Coast.

I've got lots of constituents – I've had lots of people reach out to me, and I'm sure all the Members here on the Avalon Peninsula, the Northeast Avalon, they've all gotten calls as well of people that do not have primary care. Despite what the government may have in place, a lot of them still do not have primary care. Calling 811 or Teladoc or whatever is just not cutting it for a lot of people.

There is an opportunity, I believe, to utilize nurse practitioners in this role. We talked about for a number of years in this House of Assembly – as long as I can remember, we've been talking about everyone working to their skill set. How we had all these professionals that were not working to their scope of practice, and we needed to be able to expand their scope of practice.

We've now done that, in some cases. Arguably, there might be areas we can expand it even more. But we have expanded scope of practice for nurses, for nurse practitioners, for pharmacists and so on. But it's pointless to be expanding the scope of practice, if after we do so, we do not utilize these people to their full potential.

So we do have nurse practitioners who are obviously able to fill in some of the gaps. I know they're not doctors, but they are able to fill in some of the gaps that currently exist for people that do not have a primary care provider. It's actually happening – I'm not of any nurse practitioners' offices necessarily in the St. John's area, but I know around Corner Brook and that area they do have clinics. But, as my colleague says, they have to pay for that service.

There's are a lot of people, seniors in particular, but a lot of people who just cannot afford to pay but they really have no choice. So now they are having to make those real tough choices. It was all bad enough you have to choose between taking your pills and groceries so you can feed yourself; now we're going to add in taking your pills, keeping the lights on, eating your groceries, and paying for a visit to the nurse practitioner's office for necessary services that they require.

It's just not right; it's not what our system was founded on, for them to do that. I see no difference – if I can go to a family doctor right now, and that family doctor can bill MCP, why can't a nurse practitioner do the same thing?

Nobody has been able to give an answer, by the way. I haven't heard it. I do try to listen, I really do. I have not heard a valid reason given yet as to why this cannot happen. Now the only thing I just heard now, just shortly ago, was the Nurses' Union. I find that hard to believe. I do. I've got no problem talking to the president of the Nurses' Union either. I just find that difficult to believe.

How is allowing a nurse practitioner to be able to have a clinic and bill MCP – how is that impacting these nurses? All the nurses that are working at the Health Sciences, St. Clare's hospital, and wherever, sure nobody's taking their job. Like, who is being threatened by doing that? Why would they be against it?

I assume they are still going to be part of the RNU and all that stuff anyway. So I can't understand why the Nurses' Union would have an issue with it. I really can't. It's not taking anybody's work. If anything, I could see maybe where the Medical Association, potentially, might say they've got a problem with it because perhaps that means some of the quote, unquote, easy patients, or ones that don't require a lot of care that might go to a nurse practitioner, you're taking them

away. They could come into my office, and I can get paid for them.

I haven't heard them come out and say that, but I could understand that, where you have one provider saying now they're going to start poaching my patients or whatever, and I'm losing patients because they're going over here. I haven't heard them say that, but I could understand how that could be an issue. But why would the Nurses' Union care? I don't get it. It just doesn't make sense to me why they would even care.

So I'm with my colleague here, and I've heard other Members here in the Official Opposition raise this numerous times as well, and I'm sure there are Members on that side as well who agree: What is the problem with allowing a nurse practitioner to bill MCP, no different than a doctor is doing. What is the issue?

It's not like it's not already happening. It's already happening. People are a going to nurse practitioners; they are going to nurse practitioner's clinic. The only difference is they've got to pay for it out of their pockets. So if anything, that's the true definition of privatization. Like, we're talking about privatization, I heard someone say: We don't want to privatize health care. That's what we're doing. That's exactly what we're doing right now.

When someone goes to a nurse practitioner's office, and they've got to pay out of pocket and they cannot get reimbursed from MCP, that is the ultimate definition of privatization. That's actually what's happening. It makes no sense to me. That goes against the whole fundamentals of our health care system in this country. We are actually privatizing services where someone goes to see a nurse practitioner to get blood work done or to get a prescription refilled or because they've got a cold or whatever they've got, and they've got to pay out of pocket. That's what we're allowing to happen. We are privatizing it. It doesn't make sense why we would not just simply

say bill MCP the same way a doctor is billing MCP.

So I know this has come up numerous times. It's probably going to come up again. I hope it comes up again. But at the end of the day, this is an easy fix. This is an easy fix for the government. Again, I just cannot fathom why the Nurses' Union – if that's what the minister is saying, I cannot fathom why they would have any shortage. I really can't.

At the end of the day, the people of Newfoundland and Labrador didn't elect the NLMA, they didn't elect the Nurses' Union, they didn't elect any of those unions – none of them. They elected the 40 people in here. Those are the ones who were elected to do what's best for the people in this province.

This is something that needs to happen. We cannot have seniors paying out of pocket, or anybody for that matter, that can't afford it. We cannot have them paying out of pocket to get a prescription filled, to pay out of pocket to get their blood work done. That is the pure definition of privatization. This country and our health care system was founded on the principle that it's not private, that it is public, that it is public pay.

Right now, we're allowing privatization to occur as it relates to nurse practitioners and people are suffering as a result. People are having to pay money they can't afford and, in some cases, just simply not getting the care they need because they can't afford it and we're letting it happen. All we've got to do, with the stroke of a pen, is allow nurse practitioners to bill MCP. I certainly encourage the government to do just that.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Is the House ready for the question?

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

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

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

On motion, a bill, "An Act Respecting Licensed Practical Nurses, Registered Nurses, Registered Psychiatric Nurses and Nurse Practitioners," read a third time, ordered passed and its title be as on the Order Paper. (Bill 87)

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Order 4.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Minister for Municipal and Provincial Affairs, 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 third time.

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

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion 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)

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

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 third time, ordered passed and its title be as on the Order Paper. (Bill 96)

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Order 5.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, that An Act to Amend the Arts Council Act, Bill 98, be now read a third time.

SPEAKER: It is moved and seconded that Bill 98 be read a third time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

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

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

On motion, a bill, "An Act to Amend the Arts Council Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill 98)

SPEAKER: The hon. the Government House Leader.

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

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Minister of Justice and Public Safety, that An Act to Amend the United Church of Canada Act, Bill 99, be now read a first time.

SPEAKER: It is moved and seconded that the Government House Leader shall have leave to introduce a bill, Bill 99, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, the hon. the Minister of Justice and Public Safety to introduce a bill, "An Act to Amend the United Church of Canada Act," carried. (Bill 99)

CLERK: A bill, An Act to Amend the United Church of Canada Act. (Bill 99)

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

When should said bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: On tomorrow.

On motion, Bill 99 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

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

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, that An Act to Amend the Revenue Administration Act No. 6, Bill 100, be now read a first time.

SPEAKER: It is moved and seconded that the Government House Leader shall have leave to introduce a bill, Bill 100, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, the hon. the Minister of Finance and President of Treasury Board to introduce a bill, "An Act to Amend the Revenue Administration Act No. 6," carried. (Bill 100)

CLERK: A bill, An Act to Amend the Revenue Administration Act No. 6. (Bill 100)

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

When should said bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: On tomorrow.

On motion, Bill 100 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Motion 3.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Minister Responsible for Labour, that An Act to Amend the Labour Standards Act No. 2, Bill 101, be now read a first time.

SPEAKER: It is moved and seconded that the Government House Leader shall have leave to introduce a bill, An Act to Amend the Labour Standards Act No. 2, Bill 101, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, the hon. the Minister Responsible for Labour to introduce a bill, "An Act to Amend the Labour Standards Act No. 2," carried. (Bill 101)

CLERK: A bill, An Act to Amend the Labour Standards Act No. 2. (Bill 101)

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

When should said bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: On tomorrow.

On motion, Bill 101 read a first time, ordered read a second time on tomorrow.

J. HOGAN: Speaker, I call from the Order Paper, Motion 4.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Minister of Justice and Public Safety that An Act Respecting the Establishment of the Law Enforcement Oversight Commission and the Complaints Process Relating to Law Enforcement Officers, Bill 102, be now read a first time.

SPEAKER: It is moved and seconded that the Government House Leader shall have leave to introduce a bill, An Act Respecting the Establishment of the Law Enforcement Oversight Commission and the Complaints Process Relating to Law Enforcement Officers, Bill 102, and that said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

Motion, the hon. the Minister of Justice and Public Safety to introduce a bill, "An Act Respecting the Establishment of the Law Enforcement Oversight Commission and the Complaints Process Relating to Law Enforcement Officers," carried. (Bill 102)

CLERK: A bill, An Act Respecting the Establishment of the Law Enforcement Oversight Commission and the Complaints Process Relating to Law Enforcement Officers. (Bill 102)

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

When shall the said bill be read a second time?

J. HOGAN: Tomorrow.

SPEAKER: Tomorrow.

On motion, Bill 102 read a first time, ordered read a second time on tomorrow.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I call from the Order Paper, Motion 6.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, that notwithstanding Standing Order 9, this House shall not adjourn at 5 p.m. on Wednesday, December 4, but shall continue to sit for the conduct of Government Business, and if not earlier adjourned, the Speaker shall adjourn the House at midnight.

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, Motion 7.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, that pursuant to Standing Order 11(1) that the House not adjourn at 5:30 p.m. on Monday, December 2.

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, Motion 8.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Deputy Government House Leader, that pursuant to Standing Order 11(1) that the House not adjourn at 5:30 p.m. on Tuesday, December 3.

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 15.

SPEAKER: The hon. the Government House Leader.

J. HOGAN: Speaker, I move, seconded by the Minister of Justice and Public Safety, that An Act to Amend the Family Violence Protection Act, Bill 97, be now read a second time.

SPEAKER: It is moved and seconded that Bill 97, An Act to Amend the Family Violence Protection Act, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Family Violence Protection Act." (Bill 97)

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

B. DAVIS: Thank you, Mr. Speaker.

I'm pleased today to rise in this hon. House to introduce a bill to make important amendments to the *Family Violence Protection Act*. The proposed amendments will expand the criteria of applicants for Emergency Protection Orders, also known as EPOs, which are important tools in the fight against family violence.

EPOs are non-criminal court matters that a judge of the Provincial Court may grant, in urgent situations, to provide immediate protection when family violence has occurred. EPOs are temporary, with a maximum duration of 90 days, but the duration varies on a case-by-case basis.

Presently, only a person who resides with or have resided with the respondent in a conjugal relationship, whether within or outside marriage, or those who share a

child, can apply for an EPO. Others experience familial violence or abuse are currently not able to avail of this option to file for an EPO.

With proposed changes, any family member related by blood, marriage or adoption, whether or not they live together, will be able to apply for an EPO. These changes expand protections to more vulnerable people, in particular the seniors who may be experiencing violence from other family members such as adult children. Seniors are often reluctant to press criminal charges against family members, and EPOs can offer an alternative way to address violence that they may be experiencing from family members.

It is also proposed to add the additionally category for those in care relationships to apply for an EPO if violence is present. This includes adding a definition of care relationship, which is circumstances between two persons, whether or not they have ever lived together, if one person is or was dependent on another person for assistance in their life activities because of disability, illness or impairment. This is intended to help protect seniors and others in vulnerable positions when they receive care from non-family members and experience violence.

Family violence itself is broadly defined in the *Family Violence Protection Act* and includes but not limited to assaults, threats, damage to property, physical confinement, sexual assault, conduct that would cause someone to fear for their safety, emotional or psychological abuse, financial abuse, and deprivation of food, clothing, medical attention or other necessities of life.

The circumstances for seniors and other family members experiencing violence will still need to align with the requirements for granting an EPO, including meeting the definition of family violence for the EPO to be issued. EPOs should be made without delay to ensure the immediate protection of

the applicant who is at risk of harm, or whether property that is at risk of damage. Police may apply to provincial court any time, 24/7, for an EPO on behalf of an applicant. Lawyers may apply at Provincial Court by fax or in person during regular court hours. Victims of family violence can apply in person at Provincial Court during regular court hours.

The additional criteria that is and the subject of these amendments were proposed by the NL Network for the Prevention of Elder Abuse steering committee and the Seniors' Advocate. I thank them both for proposing these innovative approaches to enhancing protection for seniors. Speaker, I will also be amending the act to include gender-neutral language.

These changes demonstrate that the government's commitment to address violence and identify situations that can offer additional safety to those in vulnerable situations.

Speaker, I encourage all Members in this House to vote in favour of this important amendment to the *Family Violence Protection Act*.

Thank you very much and I look forward to hearing from my colleagues.

SOME HON. MEMBERS: Hear, hear!

SPEAKER (Trimper): Thank you, Minister.

I now recognize the hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Speaker.

I'm very pleased to speak on this amendment to Bill 97. Bill 97 is An Act to Amend the Family Violence Protection Act. So we have heard from the minister regarding the important amendments that are being proposed. I can say, straight off from the beginning, that those amendments

are definitely something that we support and are welcomed amendments to this legislation.

I think it's important for us to look at the entire legislation or at least to look at the background legislation, which is the *Family Violence Protection Act*, and the importance of this act in our society. I think that it's also important to recognize that these amendments that are being proposed in Bill 97 really directly go to a specific piece of what the *Family Violence Protection Act* addresses, and that's Emergency Protection Orders.

I think it's also important to just look at the type of family violence that we see in our society and what the Emergency Protection Orders are in place to address. When we look at family violence, for example, it is a broad definition and there are many acts that are included in what we consider family violence, and there are many omissions that are included in the term or in the definition of family violence that are committed against an applicant or a child, for example.

I'm not going to go through all of the family violence scenarios that have been defined in the act, but it includes and encompasses many acts, whether it's physical abuse with an intent to harm someone, that's a type of family violence. So that would be an assault that is intentional and it's an intentional application of force and it would cause the person to fear for their safety.

So that is one of the scenarios that we see. We also see intentional reckless or threatened acts of omission that cause bodily harm or damage to property. That is also included in the definition of family violence.

There are other things, for example, like an intentional, reckless or threatened act or omission that causes reasonable fear of bodily harm or damage. So it doesn't actually have to be an act of assault; it can

be that threat of assault for example. Forcible confinement is another example.

Any form of sexual violence or threat of sexual violence, that is also included in what we consider and what we know in the law to be family violence. That could also include things like sharing intimate images without consent, any sexual activity without consent, child sexual abuse. Those are all things that are included in the definition of family violence.

Abuse, as we know, is not always physical. It can include coercive and controlling behaviour, intimidation, humiliation that can cause psychological or emotional harm, so the scope is broad, Mr. Speaker. It could also include, for example, repeatedly calling the person's place of work, checking the person's phone to keep tabs on the person. It could be withholding the alleged victim's bank card or sabotaging their income.

My point is, it's a broad definition of family violence. So when we look at specific Emergency Protection Orders, which are really what the subject of this bill goes to, we look at the need for Emergency Protection Orders to be put in place and, as we know, they are temporary measures. They're emergency measures. The maximum that an applicant can get for an Emergency Protection Order is 90 days and the judge considers that on a case-by-case basis.

So when we look at this particular piece of legislation, Bill 97, we're looking at an expansion, as the minister has stated, of the scope of these Emergency Protection Orders so that they will now apply in specific blood relationships. The minister has referenced that, under this new legislation, a person who is related to the respondent by blood, marriage or adoption, regardless if they live together or not, will now be protected, will now be encompassed, will be included in Emergency Protection Orders. That is a good thing, so we support that. I'll have some questions of the minister

specifically to flush out exactly the relationships of blood, marriage and adoption and how that will look for us so that we better understand this new amendment.

As well, there's a new provision with respect to a person who is or was in a care relationship with the respondent. We've heard from the minister that there has been some consultation with the Seniors' Advocate on that, as well as the Newfoundland and Labrador Network for the Prevention of Elder Abuse, NLNPEA, who are a coalition of community and government partners dedicated to preventing elder abuse in Newfoundland and Labrador. So we are going to see exactly what is the consultation involved there with respect to the Seniors' Advocate and this important group who represent the Network for the Prevention of Elder Abuse.

That is very good to see, that those two amendments specifically will look at the expansion of Emergency Protection Orders. Why are Emergency Protection Orders important? Why is it that the provincial government and the province has been involved in this? I'm just going to give a little bit of background about that.

Back in 2006, the *Family Violence Protection Act* came into law in Newfoundland and Labrador. What did that act do? This is the underlying foundational act that these amendments are addressing. Well, that act provided for new justice system responses, and one of those responses was in the form of Emergency Protection Orders to help victims of family violence, adult victims and their children, in emergency situations. Now we're going to see that expansion to include those in blood relationships and care relationships. So that is important.

But what it does, the legislation in 2006, when this came into law, the legislation of the *Family Violence Protection Act*, what it did is it filled the gap. It filled the gap in the

justice process for victims because it provided a broader range of more immediate responses than what we see available through the *Criminal Code*.

So it is important to note that the Emergency Protection Orders are court orders that the Provincial Court can grant in urgent situations to provide immediate protection when family violence has occurred. It's a short-term measure; Emergency Protection Orders are short-term emergency responses, but as I stated and the minister indicated, these orders go for 90 days. This is important to have in place to provide further protection for individuals that have been the subject of family violence.

The only other thing I want to point out – and when we look at Emergency Protection Orders, they are very serious matters. Emergency Protection Orders have the ability and the power to impact a person's parenting rights. That is a very serious implication. Emergency Protection Orders have the ability to impact a person's right to remain or to reside in their residence. So these are very important tools. These are very important measures.

We also need recognize that the reason this is so important when we're talking about Emergency Protection Orders and specifically Bill 97, is that the courts have already recognized and acknowledged that there are cases where parties have attempted to use Emergency Protection Orders for the purposes of perhaps terminating a parent's parental rights and/or securing exclusive possession of a residence. So that is a very important power and it has to be ensured that it is not abused, and we have to ensure that when these things happen, they are going through the proper channels like Emergency Protection Orders.

That goes to our judges, Speaker. It is very important that our judges who are involved in Emergency Protection Orders, whatever

judge is on call, for example, if they have an application for an Emergency Protection Order that happens, we have to ensure that our judges have the adequate training in understanding all of the complexities of intimate partner violence. That is why it is so important that we have mandated training on intimate partner violence for our judiciary and for lawyers just basically to ensure that victims of intimate partner violence are not revictimized within the court system and the court process.

We also have to ensure that a trauma-informed and evidence-based process is in place when it comes to the complexity of intimate partner violence, especially when children are involved. So that is one point that I think needs to be assessed when we're looking at these Emergency Protection Orders.

We also have to look at police officers. We have to also ensure that they have the proper and adequate training and, basically, the trauma-informed understanding and support so that when officers are trying to assist individuals who are seeking these Emergency Protection Orders, that they are getting the proper support needed to help individuals go through this very intimidating process.

It can be a very intimidating process. Individuals who are seeking to have Emergency Protection Orders are in a state of stress. They probably have been involved and suffered from a background of a history of violence, so it's a very, very difficult time. We have to ensure that the people in the justice system, whether they're judiciary, the lawyers and the police officers that are involved in this process, are adequately trained so that any victims are not retraumatized in the court process.

So those are a couple of things that I just wanted to provide background on because it's important to look at really what this is, the foundation of the *Family Violence Protection Act*, what it's about. Now we see

a couple of amendments coming, they're good amendments and I support them. As I said, on behalf of the Official Opposition, we support them and we look forward to asking the minister in Committee various questions to completely, thoroughly understand what these amendments are that they are suggesting and proposing.

So on that note, I thank you, Speaker. That concludes my comments.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Thank you very much. Thanks to the Member.

I now recognize the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I won't take too much time to repeat what the hon. Member for Harbour Main has said. First of all, we do support these amendments and these changes; they are needed. I believe that they came from the Newfoundland and Labrador Network for the Prevention of Elder Abuse steering committee; the Seniors' Advocate has also talked about it and these are some of the things that were flagged in the Seniors' Advocate report of 2019.

They talk about vulnerability and about being susceptible to violence due to dependence or other assistance and support. Unquestionably in the area of concerns for seniors where the legal reaches out to very vulnerable adults, including seniors. So this is stuff that was pointed out in different reports throughout the last number of years, and we're glad to see that these are coming in.

The amendments fill the gaps in existing legislation, which allows for people living in conjugal relationships with the alleged abuser, or parents of children in abusive relationships, the new legislation allows for any blood relative, marriage or adoption to

apply for an EPO, whether they currently reside with the person allegedly being abused or not. It also allows persons in care relationships to apply for an EPO; these would be people providing assistance to another because of a disability, illness or impairment.

This would mostly apply to seniors as well as persons with physical or intellectual disabilities. So these are things that have been pointed out time and time again in different pieces of reports or reporting from people who advocate for seniors, advocate for people with disabilities, and advocate on behalf of people experiencing intimate partner violence, and these EPOs are a very important piece of our legislation to help protect people.

We understand that there is a maximum 90-day limit, but 90 days is intended to give all parties and people the help to come up with a long-term solution or a long-term plan to protect individuals from violence or other types of abuse. We just look to all the cases in the last number of years with seniors being abused financially, emotionally and things like that as well, and these are things we want to make sure there is enough legislation there to protect those individuals with things like an EPO.

So with that, I don't want to belabour this too much, but we do support these changes, we think it's very important that we do as much as we can to protect vulnerable people in our community and try to stop those who try to take advantage of those vulnerable people.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Thank you.

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Speaker.

I'm not going to take long, Speaker.

I'll be supporting Bill 97. I think the details have been hashed out pretty good by the minister and the Member of the Official Opposition, the critic.

I guess at the end of the day, I think it's kind of sad, really in a way, that you would need this kind of legislation to, just think about it, have to protect parents from their own children and protect vulnerable people from their own caregivers that may or may not be family members; but sadly, these types of things have happened in the past and, sadly, they'll probably continue to happen, to some degree. As much as we try to put measures in place to stamp out that kind of behaviour, human nature is going to kick in. There's going to be bad people out there that are going to do bad things.

This is just one tool, I guess, in that fight to try to protect the most vulnerable, whether they be seniors, whether they be persons with disabilities and so on, who are in care or they have a family member who is supposed to be providing them care but, in fact, is potentially causing them harm and abuse and so on.

Obviously, I think every Member of this House of Assembly will unanimously support anything that we can do to protect the most vulnerable in our society. As I say, this is just one little piece in that. I look forward to Committee of the Whole. I'm sure that the Member for Harbour Main is going to have a whole list of questions and, hopefully, she's going to get a whole bunch of good answers to allay any concerns anybody may have, then we'll all be able to support this bill.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Thank you.

The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

I just going to say a few brief words to this bill, Bill 97, with amendments to the *Family Violence Protection Act*.

To expand access to Emergency Protection Orders, it's so important to make sure that our vulnerable people are protected. There are gaps in our current legislation where people have slipped through the cracks. Across the province, especially in a lot of the rural areas, we see where vulnerable people are. We look at children, we look at women, we look at our seniors and we look at people who don't have the wherewithal to look after themselves, so it's so important.

Speaker, the reason why I wanted to speak today was because during COVID, when COVID isolation rules came in and people were isolated in their houses, in their apartments, and they didn't have the ability to go to work, they didn't have the ability to socialize, they didn't have the ability to even see family members, that's when the most vulnerable were at the greatest risk. That's something that we learned. One of the things we can look at now is, basically, this amendment will help bring protection and help to the vulnerable people, the isolated.

A lot of people in family violence, in domestic abuse, in intimate partner relationships where there's a threat of harm, physical or mental harm, a lot of people seek refuge in public areas. We can't forget what happened during COVID. What happened with COVID is we saw the most vulnerable – being able to go and talk to family members, a lot of times that kept women from being beaten because when they're in isolation, you don't have to hide the bruises, you don't have to hide the way you walk because you've been injured, you've been thrown around, the physical violence and the harm that comes to people

when we don't have the means to protect people.

I say we don't have the means to protect people, Speaker, because, in actual fact, what about us? What about us who love people, who care about people, and we see them being harmed? This legislation will actually help loved ones protect the people who are very vulnerable. Because now with the expansion of the legislation – and I draw the attention to where a person who is related to the respondent by blood, marriage or adoption, regardless if they live together or not.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

L. EVANS: That will empower people to be able to help vulnerable people. Because, at the end of the day, if you're a child, sometimes you don't want to speak out because you fear the consequences. Sometimes when you're in an abusive relationship with your partner, you are afraid to speak out. You are afraid to protect yourself because you fear that the harm that comes to you will be even greater than what you are living with. In actual fact, this is a big problem across the country.

So one thing I do really appreciate with these amendments is it helps people who don't have the ability right now to protect – and I look over to the ministers, the former ministers with portfolios, and they know what we're talking about: the vulnerable.

My colleague there from Harbour Main talked about the complexities associated with intimate partner violence and in family violence. Anyone who works, deals with it, as an advocate or as a family member, we know about those complexities. This amendment empowers people to reach out and be able to protect our most vulnerable.

That's why I wanted to speak today, Speaker. I do support this bill and we, over

here, support anything that will help the vulnerable people.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Thank you.

Seeing no further speakers, if the hon. the Minister of Justice and Public Safety speaks now, he will close debate.

The hon. the Minister of Justice and Public Safety.

B. DAVIS: I'll be very quick because I think we want to get to Committee.

I do want to say thank you to my colleague for Harbour Main, my colleague from Labrador West, Mount Pearl - Southlands, as well as Torngat Mountains for your good support for the bill but, also, the support for those most vulnerable in our society, which is the reason we brought this in. I think there are going to be some good questions come from the critic on this with respect to training for Crowns and from her statement, so I'll be well prepared to try to answer those questions for you.

With that, I'll take my seat and let us move through the process into Committee.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Thank you.

Is the House ready for the question?

The motion is that Bill 97 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Carried.

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

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

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

L. DEMPSTER: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Family Violence Protection Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 97)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move that this House do now resolve itself into a Committee of the Whole to consider Bill 97, An Act to Amend the Family Violence Protection Act.

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 97.

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.

Thank you.

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 97, An Act to Amend the Family Violence Protection Act.

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

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Chair.

Minister, you indicated, I believe, that the Seniors' Advocate was involved in terms of consultation and, at the technical briefing, it was identified that the NLNPEA – Newfoundland and Labrador Network for the Prevention of Elder Abuse – were also consulted. What other specific stakeholders were involved in consultation?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Thank you, Madam Chair.

Yes, the hon. Member is correct. We did consult, quite extensively, with NL Network for the Prevention of Elder Abuse during committee as well as the Seniors' Advocate. I'll get a list of the other groups and individuals that were consulted directly. I know those are the two main stakeholders, but I can give you a list of all those that would have been consulted when we're finished here, today, or I'll even try to get it in our discussion here today.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Minister.

Yes, we'd like to know, for example, the Journey Project and other stakeholders, advocacy groups in our province, what involvement, what input did they have with respect to this, in particular, with respect to violence prevention groups as well. So if we could have that, that would be appreciated.

The other thing is with respect to the consultation, Minister, how were they consulted? I'd like to know how the process played out in order to get them involved, for example, the Seniors' Advocate and the NLNPEA. What was the format of the consultation?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: So PLIAN was consulted as well, which the Journey Project is a part of that organization, as well. As I get the information, I'll put it out there for you. I know that those individuals had expressed concerns about this through various reports and/or direct information to the department. They were reached out to by the department.

The committee actually came in to meet with my predecessor, the minister of Justice, and officials at the time and had follow-up conversations on a number of occasions. I don't know the exact number of occasions because it predates me but when I do get that information, I'll be more than happy to share it with you because it was a very fulsome conversation with those organizations. We wanted to make sure that we got this right. I think we've hit the mark with the EPOs, the way we're looking at right now.

Thank you for the questions. That helps get some of that information out there.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Just for clarification, the minister stated that the former minister of Justice and Public Safety met with the committee. For clarification, what committee is that? Is that the PLIAN, the Journey Project or was that the NLNPEA committee?

I just need clarification on who the former minister of Justice met with.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Thank you.

The NL Network, as you highlighted earlier, would have been there, including the Seniors' Advocate as well – in person.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

With respect to the consultations, I'm just curious about the format of the consultation. Would they have been directly involved in the development of the amendments, or was it just a matter of providing general concerns about the people who they represent, whether it was seniors or whether PLIAN, with respect to the people who they are organized to support and help?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Thank you, Madam Chair.

They asked for the amendments very clearly, but the way you phrased the question, I don't think they can be directly involved because the House does that, finalizes the bill. They wouldn't see the bill. They would know what was coming, when it comes to second reading today, but they would not know directly. These amendments were what they asked for. We went with them. They had multiple meetings

with the previous minister and staff to try to get to a point where the amendments to this bill would have been what they were looking for without knowing that they were going to be put in the bill this way.

So they brought them forward. We tried to – for lack of a better term – govern it to make it a piece of legislation that we have in front of us here today.

I'm very thankful to both the NL Network, as well as the Seniors' Advocate, for always being there to provide some really good insight, which allowed us to get to this point and hopefully have unanimous support in the House.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

Yes, I would understand that they would not be able to know what the actual amendments were. I think you've clarified that they were directly involved, however, in the development of the amendments as they eventually progressed through the process.

So just going back to the consultation, if we could be provided with the other stakeholders that were engaged, whether it be in person or online, what other stakeholders were involved, that would be appreciated.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Absolutely, like I said, Madam Chair, any of the stakeholders that would have been involved, whether that be online, email, or in person, we'll provide that information. But those are the key ones that I wanted to highlight today because they represent a significant other portion of the vulnerable society this would be supporting.

Whether that be PLIAN, whether that be NL Network, whether that be the Seniors' Advocate, those individuals represent the lion's share of the people that would be impacted by that, as well as our own Crown attorneys that would have been involved, that would know this kind of stuff, the people that supervise those individuals, the director levels within the Department of Justice, they all have outreach to the key players that would be involved.

You highlighted a very good one; the Journey Project is something that is very, very important to us in the department as well, so those individuals would always be consulted with things that are directly related to the type of work that they're doing.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

I'm going to further get into the expansion of the legislation with respect to care relationships, but on that specifically, I know that when it comes to seniors who are victims of violence – for example, in Canada, we know that there were about 128,000 senior victims of violence in Canada in 2019.

That's according to the General Social Survey on Canadians' Safety. We also know according to another survey, the Uniform Crime Reporting Survey, the rate of police-reported violence against seniors increased 22 per cent between 2010 and 2020, with the largest increase observed in the past five years among senior men.

Now, that is with respect to statistics for Canada as a whole. Were either the Seniors' Advocate or the NL Network able to provide any statistics or any information to you with respect to the incidents of seniors being victimized and victims of violence in Newfoundland and Labrador?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Thank you, Madam Chair.

Not being directly involved in the initial meetings with those individuals, they provided great insight; they work very closely with those with those impacted, the most vulnerable people that we're trying to get at here in this piece of legislation.

So, yes, we understand that there are growing numbers across this country. We know the concerns that they raised, but we don't have the exact examples that you're requiring. I don't know if those statistics are correct. I know we're doing some good work on intimate partner violence now, but that work hasn't got, I guess, the historical data that's been collected as easily, and a lot of people didn't want to provide that information.

So we're working to make sure that information is available to us for decision-makers, and to ensure that we make policies that can try to combat those statistics.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: So my question, though, wasn't with respect to intimate partner violence. It was more focused on elder abuse and the rates of seniors who are victims of violence in Newfoundland and Labrador. Nevertheless, if there is any data that was provided by either of the two groups to you in the development of these amendments, that would be appreciated, if you could provide that.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: I can't see no problem, Madam Chair.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

Moving on, what have jurisdictional scans revealed as to whether we align with legislation in other provinces with respect to these amendments?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: I know anytime we're doing any piece of legislation, we do talk to our colleagues across the country. I know that the previous minister, as well as myself, have been at FTPs or federal, provincial and territorial meetings where we do talk about legislation that is either working towards ratification or adoption in the House of Assembly and Royal Assent, or things that we're considering based on what the public are asking for.

I don't have it readily available to me right now what every jurisdiction has with respect to this legislation. I know that some jurisdictions have similar legislation. Some may not be as far as us. But the care relationship expansion is mirrored on legislation from other jurisdictions. I know that much, but I don't know exactly how many jurisdictions. I can get those numbers for you on which jurisdiction has which type of piece of the legislation.

But I know we tend to try to pick the best of the best out there when we try to do legislation. So my understanding is that we are mirroring the care relationship expansion off other jurisdictions as well.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: So if that information could be provided, that would be appreciated as well. It is always important to look at other jurisdictions to see what they have implemented to compare, to have

proper contacts to analyze. I think it's important for us to be able to assess what you learn for the jurisdictional scans as to whether this legislation aligns. That way we can look at it to see if it's better, if it needs improvement. So it's, obviously, very important for comparative purposes.

With respect to getting into the new provision, the new amendment with respect to persons related to the respondent by blood, marriage or adoption, regardless of if they live together, I'm just curious about this particular provision with respect to the blood relationships.

So that we can understand this better, can you define related by blood, like marriage or adoption? To what degree does it apply? Let's look at blood first. It's very broad, so I'd like to understand who falls in that definition of blood. For example, could someone apply on behalf of their cousin or what extent of that blood relationship does this capture?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Any direct family member that would be, for lack of a better term, direct family relation of the person that would be applying for the EPO and those individuals can also help in that because they may see things that others can't. It still has to go through it – I think you made the good point, earlier, when you were speaking; that it still has to go through the judicial process to make sure it's legitimate; make sure there are good grounds; make sure to meets the thresholds of what we're trying to accomplish.

I think, if we wanted to, we can go through each individual one if you'd like and then if there are any additional information that comes from any staff that I have that are missing, then I'll add it in as we go.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Okay.

You indicated direct family relationships. Again, that's broad. That really does and it's a very broad term: "direct." What relation is that? Is that any relation as long as it's blood? That's all that I'm asking here.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Yes, we wanted to expand it to include more individuals. Right now it was a real challenge. Whether you're blood or not, the definitions will apply for the blood relatives and it will be done in the definitions. The act now doesn't directly allow individuals that are not living in the home and directly taking care. This is a bit more of an expansion of the ability for a family member that has control over the finances, as an example, of the person that is being abused. It can be family members, by adoption, or in this case by blood.

So what we're sort of saying is it doesn't really matter whether blood or adoption or relatives apply, it could be a mother or stepmother or stepson that's taking care of you in that situation. Most of it is now related to blood.

I can try to get that a little more clear than that, because I know it's a little bit more convoluted on that, because it is a very broad definition.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: With respect to marriage, so it's being expanded, a person related to the respondent by blood/marriage can apply now for an EPO. Could someone apply on behalf of a brother, say, for example, or a sister-in-law? It says marriage, so can you just flesh that out exactly what that means?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: What we're trying to do with this is we are trying to expand it so it catches the biggest and widest net of individuals that can apply for an EPO. We wanted to make sure that's expanded as much as we can. It mirrors many of the other pieces of legislation that would be across the jurisdictions that we talked about. It deals directly with the movement towards where NL Network, as well as the Seniors' Advocate, want us to move, based on what they're looking for, for the piece of legislation.

We just didn't want to exclude individuals. We wanted to try to include as many as we could so it would best reflect the type of family dynamics and the type of changes that have occurred and who takes care of individuals as they age now.

It's not always children by blood. It could be stepchildren. It could be adopted children. It could be a variety of different outcomes. We wanted to make sure there was an ability for you to apply for an EPO to protect yourself from them, but also to allow them to help in the protection side of it.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Okay, so with respect to marriage I would assume then, because you're widening the net, someone could apply on behalf of a brother or sister-in-law for adoption. You've just mentioned an adopted child or perhaps adopted grandchild, someone who wants to apply for the Emergency Protection Order on behalf of, say, their adopted grandchild, they would be able to do that as well, right? Is that correct?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: So the way it's worded is to try to make sure it doesn't exclude step or adoption or non blood. That's all we're trying to say in this one.

It's not just blood relatives that can apply for it, like the previous act had said. We're expanding that to include individuals that are adopted, that are not necessarily blood relatives of the person that they are taking care of. So the way it's worded makes it, maybe, a little more convoluted as saying these are additions to.

This is more dealing with the people that are not excluded. We're trying to include more people, not exclude individuals that would be an adopted son of someone, as an example. The previous act doesn't allow that in the case so we are trying to make sure it's looking at the way families are today.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: So I understand that it's about not excluding people is what you're saying. For example, a clergy member – I know it hasn't been identified in the amendments, but, say, a clergy member or a police officer, although they're not connected by blood or marriage or adoption, they would not be in a position then to apply for an Emergency Protection Order on behalf of the individual, even though the intent here is to try to expand and not exclude people. Is that what you're saying?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: I think I said in my initial comments earlier that the police, RNC or RCMP can apply to judges based on who comes to them, what they see themselves.

I think you rightly said earlier that it's got to go through that jurisprudence. If it's going in, it's got to be legitimate. It's got to be looked at by what can be achieved, based on the regulations as they exist now. Police can apply. I'm not sure about the clergy. I will check on the clergy from that perspective.

That's a very good question. I will check on that, but I know the police can.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Yes, so it is understood. I mean, we know the process once the gates are opening or once the application has been accepted, that is what we are talking about. Who has the standing really to make that application? That's the key.

We understand that once you're in the door, for example, and your application has been accepted, but what this legislation appears to me to be is about getting in through the floodgates. I understand that the amendments are about expanding. So we just want to understand the boundaries and who will or will not be able to apply, because that's the key whether they can get through the door and make the application, whether it's on behalf of an elder person as well.

That's the final question that I have, is with respect to the new amendment about the care relationship. It expands the original legislation and it expands it to include parties such as caregivers. So the care relationship has broadened the scope of who may seek EPOs.

With respect to that, that care relationship, can you just expand a little bit more about that? I mean, I know that it's about broadening the scope but, again, can you just talk about that amendment specifically? Because I'd like to understand exactly what your intent is with respect to the care relationship. If you could just flesh that out a little bit more, that would be helpful.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: No problem. Thank you.

It's about expanding the family members regardless of blood as I said before. It's also expanding the definition beyond conjugal relationships, which was what was in the previous act. So we're expanding that, so it takes in more.

Adding in the care relationship, it's funny that you went right with the care relationship right after you talked about clergy, because they would factor in as a care relationship within the definition. They would be in that situation. So it's a good tie back to your previous question about clergy, as in the care relationship definition.

I think we're trying to expand it so the net is as big as it possibly can be, understanding that you still have to have some relationship, a care relationship, whatever that looks like. It looks different today than it did 40 years ago, or 30 years ago. So we want to make sure that's expanded, able to move as far as we can and as fast as we can to protect the individuals that could be suffering either many of the other issues that could happen.

Whether it's abuse or whether it's financial abuse, or whether it's deprivation of food or anything like that, we want to make sure those seniors, in particular, but others that are in vulnerable situations would not have to carry on with that, we want to make sure that net is wide enough so they are protected against a lot of different scenarios.

That's what we're doing here today, based on jurisdictional scan, but based on probably two of the best stakeholders you could possibly have to work with, which would be the Seniors' Advocate; as well as the NL Network, they've done some really fantastic work; PLIAN has done some great work; and the Journey Project.

So those are the major stakeholders that would have been involved in this, along with many other people that would have had touches with the Department of Justice over

the last number of months in the development of this piece of legislation.

I'm glad that we've got some support across both sides of the House to try to deal with something that we want to try to nip in the bud as quick as we can.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Chair.

The other question I have is in regard to training. I mentioned in my opening remarks about the training and the importance of having adequate training, especially when we're dealing with intimate partner violence and the fact that judges, as well as police officers, have to be trauma-informed, they have to understand the complexities, not only of intimate partner violence but as well with respect to elder abuse. As we can see from the stats that I provided earlier with respect to what is happening in the country, if that can be extrapolated to be occurring here in our province, then we've got a huge problem.

So I'm just wondering what kind of training is envisioned to support these new amendments to ensure that they are enforced properly, once this legislation is proclaimed.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Thank you, Madam Chair.

I'll steal a word from our hon. colleague for Mount Pearl - Southlands: This is sad that you would have to put things in place for individuals to protect individuals from family members or caregivers or whatnot. It's sad that we have come to that, but we want to make sure that we're doing as much as we can.

So there are two things that I want to address that you said. The care relationship expanded is intended to protect seniors, whether they are being cared for by a family member, which is what used to happen a lot more often than today, or other caregivers that are doing it today for the family that may or may not be around or whatnot.

I can't speak directly to the training side for judges, although I have spoken with the chief judge and they do it. They are independent from us, as you know, but they do intimate partner violence training, but also training that would give them an ability to understand this a little bit more, within Crown school, which is – for lack of a better term – a colloquialism that we put in place, but a training session that our new Crowns go through. They would be looked at and in their guideline documents they would be doing some of that as well and at every AGM they would receive some training on this in gaps that have been identified or things that would be best practices that they could utilize.

I know the RNC and the RCMP have dedicated intimate partner violence units and that's not going to address all of this. It will address some part of it, but they help with victims and provide oversight into the investigations of it.

As this evolves over time, there's more training that will be coming. I know from a department standpoint, we're always looking at ways we can expand training for the individuals that are direct reports for us, whether that be RNC officers that are coming in, either new or existing or whether that be Crown Sheriffs or corrections officers. That could all help in a process to do that.

I hope that answers your question. I know it's probably not as detailed as the training that you would like. But I know there is courses that they do. I can get a list of those courses that they do or the classes that they

take with respect to that. I can definitely share that with you, no problem.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

With respect to elder abuse and the increase in violence against elders, if there is any plan envisioned by your department to ensure that the professionals that will be involved and engaged when these applications are put forward, that the professionals, whether they be police officers or other professionals in the organization, in the process, whether they're judges, that they have the adequate training with respect to the complex issue of elder abuse. I'm just wondering if there's any plan envisioned to ensure training in that regard.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Yes, there is a couple of really good take aways on the training side with respect to elder abuse. I know that there's – I won't say constant conversation, but a significant amount of conversation between all of those groups that you highlighted earlier that would be looking at that. We'll delve into if there's any additional training from an elder abuse standpoint that they would be looking at.

I know the RNC, in particular, and the RCMP have training units that are designed to help officers deal with a variety of different things, not just elder abuse, not just intimate partner violence, but a variety of issues that change on a – I won't say a daily basis but change on a very short period of time and they have to pivot their training to the best of their ability to best assess the community that they're representing or serving, right?

So it's a very good point. I can't give you the specifics on the elder abuse training that would go on, but I will take that back from

here and, obviously, if I can share information with you, I will.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: The reason I ask, it's a very key point because we know that when people are applying for these emergency protection orders, they need to have the adequate support in place, whether it's an officer who is going to be helping them write up the emergency protection orders, those are not easy applications for a person to write up. We need to ensure the same thing, if there is someone acting on behalf or is in a care relationship, for example, with a senior, that they have the support there when there's an application for an EPO because that can be very complex.

It is, as I stated earlier, a very intimidating process. The person who is applying is in a state of stress, or the person that's applying on behalf of them. You know, there may be history of – well, obviously there would be a history of violence, otherwise they wouldn't be applying for the EPO. It may be even an escalating process that they're involved in so there may be many fears about their own safety. That's happening.

So we know that the Journey Project, for example, helps with the drafting of EPOs, they help individuals. That is in place but I understand they get so many calls and they need to have the adequate resources and staffing to be able to assist people who are in those vulnerable positions, who are in positions of danger and they're experiencing violence.

So I just need to find out information as well with respect to the training and the resources that are going to be provided for people with respect to the seniors being victimized with violence.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Well said.

The department works closely with the Seniors' Advocate and the NL Network to find ways we can help prevent, limit and reduce elder abuse to make sure it doesn't continue. As you said earlier, we work closely with the Journey Project and have regular collaboration.

So we're plugged in to the people that will provide that best in-class situation and what we should be doing as a department from that standpoint. But they'll also be doing that with the RNC and with Crowns and we share that information that we have with them.

So there's going to be a consistent sharing of information and thank you for highlighting that, the Member for Harbour Main.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: That completes my questions, Chair.

Thank you.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Thank you, Chair.

I've just got a couple of questions there for the minister. Just for clarification, would social workers within CSSD be able to apply for the EPOs under the new definition of care relationship? Would that also apply to social workers working with families like that?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Yes.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: Thank you.

The Mass Casualty Commission Recommendation 12(c) called on governments to incorporate a definition of family violence that encompasses patterns of coercive and controlling behaviour.

While the current act does, so far, assess for the financial resources, why wasn't it considered for giving the controlling and coercive behaviour as a whole with the updates to this act?

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Thank you, Madam Chair.

As I've said many, many times – the hon. Member raises some good points. Legislation are living documents so we move as we can. The document you mentioned earlier about the Mass Casualty report, we're still looking through those and making the changes as we can.

You've seen one piece of legislation just last week or the week before that deal directly with one of the recommendations that were there, or a couple of them. There will be more recommendations that will see other pieces of legislation come through directly. We wanted to move on this one based on – legislation may take a year or a year and a half to come to fruition in this House, based on where it's coming from.

So we want to move on the quick things that we can. That does not mean there won't be points in this that will be updated over time. I remember when I was parliamentary secretary in Service NL, there were many, many changes that would have come one year and the next year there were changes to that same legislation and the year after that.

The same with the *Highway Traffic Act*. It seems to make changes like that. I know that we've seen a lot of legislation come in

this sitting but also in the previous ones that are updates to existing legislation that may have – I won't say outlived its usefulness but need to be updated to deal with today's breakdown of the family, as an example, or how the family looks and who takes care of who.

CHAIR: The hon. the Member for Labrador West.

J. BROWN: I thank the minister for the answer and I appreciate they are looking into the Mass Casualty recommendations.

Just one last thing. I guess the minister kind of touched on it there, like, the Seniors' Advocate report from 2019 did have a lot of this in it and now it's 2024 and I think he kind of touched on how the process worked and how it does take a little bit of time. I just want to elaborate the timeline from the 2019 report to where this reached the House today.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: I can't speak in specifics with respect to how long it's taken to get to there. I can speak from the time I've been here. We've moved a lot of pieces of legislation in a short period of time.

Just to clarify on social workers, you asked a very broad question also. I didn't think you were asking about all social workers. I'm thinking about if you're talking about a social worker that's working with a family, directly, yes – if they're in a care relationship, I wasn't clear, I said yes and it is true but they have to be within that care relationship and they have to be authorized to do so.

So they can, but they have to be authorized to do so. Most likely, it's going to be a police officer, a lawyer, as long as they have consent of the applicant but it can be social workers, clergy and a few other different types of individuals. But social workers have

their own specific regulations they're governed by too.

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 8 inclusive.

CHAIR: Shall clauses 2 through 8 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 8 carried.

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

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

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

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill carried without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

CHAIR: The Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 97 carried without amendment.

CHAIR: The motion is that the Committee rise and report the bill and that I do now leave the Chair.

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

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

SPEAKER (Bennett): Order, please!

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

S. GAMBIN-WALSH: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 97, An Act to Amend the Family Violence Protection Act, carried without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directed that Bill 97 be carried without amendment.

When shall the report be received?

L. DEMPSTER: Now.

SPEAKER: When shall the bill be read a third time?

L. DEMPSTER: Tomorrow.

SPEAKER: Tomorrow.

On motion, reported 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, Bill 85, second reading of An Act to Amend the Provincial Health Authority Act and the Fatalities Investigation Act. That bill is seconded by the Minister of Health and Community Services.

Second reading of a bill, "An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act," carried. (Bill 85)

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

J. HOGAN: Thank you, Speaker.

I'm pleased to introduce Bill 85, An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act. This bill is being introduced as a result of collaboration between the Department of Health, the Department of Justice and Public Safety, the Department of Children, Seniors and Social Development, Newfoundland and Labrador Health Services and the Chief Medical Examiner.

While this bill is about providing a process to address unclaimed remains, in doing so, we cannot lose sight of the individuals and the impact of the deliberations in this House that will have on the individuals, their families and their friends.

There are between 5,500 and 6,100 deaths per year in our province. While well over 99 per cent of bodies are claimed each year, there is a small percentage that remain unclaimed.

As this House is aware, across Canada and including here in Newfoundland and Labrador, there has been an increase in the number of human remains that go unclaimed and there is no consistent approach regarding identification and disposition of unclaimed remains across the country.

Remains are unclaimed and stored by NLHS for a variety of reasons, which can include the health authorities inability to locate or identify a next of kin; families who may not want to claim the body for personal reasons; and families who may not be able to claim a body due to financial reasons.

There are also unclaimed remains which are the subject of an ongoing investigation by the Chief Medical Examiner. Under the *Fatalities Investigations Act*, the Chief Medical Examiner is responsible for determining the identity of a person, the date, time and place of unexpected or unexplained fatalities.

In association with this responsibility, the Chief Medical Examiner has the authority to dispose of bodies where they are unclaimed or unidentified after a period of seven days from completion of the investigation. Currently, there is no express legislative provision addressing how NLHS is to deal with unclaimed remains.

When the health authority has exhausted all options to find a person to take responsibility of a body, this can lead to unclaimed remains being stored for lengthy periods. In those cases, the Public Trustee can be appointed as executor of the unclaimed remains' estate and have the authority to deal with the body after death, including determining the place and manner of burial. However, this process can create an additional step that may result in further time before the remains can be respectfully disposed of.

This bill amends the *Provincial Health Authority Act* and the *Fatalities Investigations Act* by outlining the process to be followed by NLHS to ensure the timely, efficient and, most importantly, respectful disposition of unclaimed remains. Since NLHS is currently conducting the investigations to identify persons who may be willing to claim remains, this investigative function will remain with the health authority.

The amendments provide that in carrying out the responsibility to oversee the disposition of unclaimed remains, NLHS shall determine whether a body is unclaimed; consult with the Chief Medical Examiner and follow any of the Chief Medical Examiner's recommendations; and arrange for the disposition of unclaimed remains.

Consultations with the Chief Medical Examiner will allow for the provision of oversight to NLHS. The Chief Medical Examiner has knowledge in this area, due to his – he is currently a male – existing jurisdiction over unclaimed remains under the *Fatalities Investigations Act*. The

amendments to both the *Provincial Health Authority Act* and the *Fatalities Investigations Act* in this bill will facilitate this consultation. Where the process has been followed, NLHS will have the authority to dispose of the unclaimed remains.

The amendments also provide that the Minister of Health may direct the owner or operator of a cemetery to provide interment rites for unclaimed bodies and to set the rate for these rites. This provision is being included as a safeguard to ensure that appropriate space can be found for the interment of unclaimed remains.

The amendment will also provide that there is no cause of action against the minister, the Chief Medical Examiner, a medical examiner, an investigator or an officer or employee of the Chief Medical Examiner's office, personally, for anything done or omitted in good faith in the performance or intended performance of their duties or exercises under the *Fatalities Investigation Act*. This provides protection for those who are performing their statutory duties or exercising their powers in good faith from being held liable in a personal capacity.

The amendments in this bill will come into force on January 1, 2025. This will allow for the development of associated regulations.

The amendments to the *Provincial Health Authority Act* provide new regulation-making power to the Lieutenant-Governor in Council to establish requirements in determining whether a body is an unclaimed remain and to set criteria to be met before disposing of the unclaimed remains.

It is anticipated that the *Provincial Health Authority Act* regulations will be amended to provide the determination as to whether a body is unclaimed shall last 14 days; require NLHS to provide notice that a representative is being sought for a body; and require NLHS to attempt to contact any known relatives, friends or person entitled to control disposition of the body.

Of course, this does not mean remains will be disposed of after 14 days. If a person comes forward to claim the remains, NLHS will work with that person to ensure appropriate disposition even if it falls outside the 14-days time frame.

This government is committed to ensuring that a mechanism exists for the efficient and respectful disposition of all unclaimed remains in Newfoundland and Labrador.

Speaker, this is an important issue. Newfoundlanders and Labradorians know that it is important not to forget those who have passed away. Bill 85 will allow NLHS to dispose of unclaimed remains in a respectful manner and avoid having to store remains for a long period of time when no one comes forward to claim them.

This, in association with other actions taken by this government, including the increase in the enhanced funeral assistance benefit, will improve the timeliness of funeral arrangements and disposition of remains in our province.

I am pleased to introduce this bill and I ask all hon. Members of this House to join me in supporting it.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

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

B. PETTEN: Thank you, Speaker.

I'm glad to get up and speak on this legislation. It's an issue that I've spoken on, on many occasions. It's in the House of Assembly, in the media, I guess, in my own district. It's an issue, in my opinion, that on one hand I'm glad to see this legislation being brought in to deal with this terrible, terrible – it's one of the more embarrassing situations, as a province; I personally think,

one of the more embarrassing things over the years we've faced.

People can look at all the issues that face the public, face governments, face the people of this province throughout and some are not so good, but I have to say, in my years in this Legislature and my years on the face of this earth, for that matter, I think it was one of more disturbing is probably the best word. I can put a lot of other words there but I think disturbing sums it up and most people would say the same.

I'm glad to see this legislation coming through, but it's important to speak of how we got here, too. We're finally here, but this shouldn't happen again. I always remember the moment that it hit me, I was at a supermarket up in my own district, down shopping one day, it was just after this story broke. I think I was asking questions in the House of Assembly to the former minister of Health at the time. I didn't know who this lady was. In politics we run into lots of people that know us and we don't know them. That's fair. It was an elderly lady and she grabbed me by the arm when I walked by. For a second, I was taken back. You know, it was kind of funny; not a funny issue but it was a funny interaction the way I met her.

She had tears in her eyes of how ashamed she was as a Newfoundlander and Labradorian. I don't even know if she lived in my district, but she was talking about, as a person, to hear this story unfold with the national news carrying it.

We have so many good things in this province and, again, some not so good, that the national media probably should cover or the provincial media probably should cover, but to be covering this issue, this wasn't shining a bright light on anyone – anyone in this Legislature, this government, the people of this province – that we couldn't find a proper way, a dignified way to provide a burial to those people.

They're John Does, Jane Does to us. They're nameless to me. I think there was one family I saw on the media one day, and I stood in my space, and there were other people as well. It was in the media.

I've been the shadow minister of Health so it felt onto me, under my responsibility to speak public on it. It was a story that I spoke a lot on. Every time I spoke about it, I felt an emptiness but I felt a lot of sadness. I think I expressed that many, many times. I thought it was one of the more sad things in life.

Everybody's life means something. No matter what you do, no matter what you are, everybody's life means something.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: Along the way, whatever happened, we lost our way because for us, as a province, to kind of dodge the issue for a bit and we're not getting clear answers. It was a lot of challenges and then lo and behold, in between a break in the House I think at the time, we turned on the news to find out there was extra freezers added to the basement of the Health Sciences Centre. There's nobody in this Legislature, in this province who felt good about that. There couldn't be. This was a way, a remedy, we moved the problem, but we're still faced with a massive, massive problem. Again, it was an embarrassing problem.

Part of those deceased was income support related and I know government in June, maybe, announcing increases, changes to the income support to deal with any people that were in receipt of income support, they upped the amounts for the funeral homes. That was an issue, to provide a proper, dignified burial. I attended the minister's news conference that day and a fair point, that was a two-component problem.

The other one is unclaimed people. People with no families. Nobody was claiming these people to give them a proper burial and it

was not income support related, therefore, they never fell under that umbrella.

I'll say it again, even in here when I heard this legislation come forward – and I was glad it was – there was a level of sadness. It's still there as I'm talking now. We had this going on for who knows how long, the better part of the last seven or eight months. It's gone on a long time before that. It just come up that we finally hit the public airwaves in the last seven or eight months because a story broke, I think, by CBC at the time. They seen the freezer.

I've got a question, I guess, probably in Committee, but I'll just throw it out there, seeing we're in second reading. What if – and you've got to be careful when you say what if – what if this story wasn't broken by CBC? What if they had never picked up on these freezers? You know, people are going in to the hospital down there and they were seeing this ugly, keep cool coolers. That's what they were, freezers with keep cool wrote on the side of them.

I mean, I still can't get my head around that. Nobody knew what was in them. For a long time until the media picked up, nobody knew what was inside those coolers. Would we be here today, December 2, bringing in a piece of legislation to provide a proper burial to those people, had that story not broke, or would we have taken up the parking spaces and extra space in the underground parking garage – the people still have to walk by them in the daytime to go into the Janeway – or would we have solved it by doing that?

It's a serious question. Hopefully, when we get to Committee, maybe the minister will answer it. I don't know if he can answer that. In fairness, he wasn't the minister of the day when that unfolded. That was the former minister. But that's what needs to be asked. That's the question that need to be asked.

I try to be as frank and straightforward whenever I speak because that's what people ask. I'll go back to that lady. She was embarrassed. She was actually embarrassed to be a Newfoundlander and Labradorian. I think that was her comment, she was embarrassed. She seen me, because I was it was in the news that week and I was in the media about it.

My only response back to her that day was, I'm with you. I feel the same shame. We're Opposition. We're not part of the decision. We reacted to a story that came out. We're on the Opposition side. Our job is to challenge government, of course.

But I felt embarrassed to be in this Legislature. To be watching that on the news, that we can't find a way to deal with this properly. Yes, then I heard there were other situations, that they got a big situation in Ontario and elsewhere. I understand some are societal. But just because they failed, that don't mean we've got to accept failure as well. That's what it's like, oh, they failed and they failed, we're going to fail, too. So it's all right if we fail. Everything's good if you fail. As long as someone else fails, we're good. I mean, Lord help us if that's the way we're going to try to deal with our issues.

As I stand here and I'm on one hand I am happy again that the legislation is coming forward – I'm not going to belabour it all day, but I can't hold back on my disgust in how this situation was handled. This in my opinion was one of the most poorly handled situations government had in their lap – poorly. It was disgraceful how this was handled.

Had this information been forthright in the beginning, maybe people could make sense of this. It was prying information out. We're meeting with groups. There were no clear answers. I can go back into it; it was the most frustrating thing ever. The minister of the day was talking in circles – that's not uncommon sometimes in this House but

talking in circles and no one were getting any answers. People were frustrated on the street. They were asking why.

We're seeing a piece of legislation now telling us why things couldn't be done then. Maybe, and I mean maybe, it still wouldn't have solved the problems because it shouldn't have gotten to there. That should have been clearly articulated back then. It was only previously, this past fall, there was some information on when our minister of CSSD came out this summer about the rates and then there had to be some things with the trustee, I believe the current minister made reference of late summer. Then it started making sense.

We were calling for a lot of these things. I stood out the lobby one day and I said the Legislature is behind us, if we need legislative changes, let's go in and do it now. That's six months ago.

So it's all about communication. It's all about letting the public know, instead of just letting stuff spiral and spiral and spiral and who wins in a situation like this? I tell you, the public are not winning. Those families are not winning. Those people whose bodies are in those coolers, they're long gone but everybody and I tell you everyone in this province, in this country, in this world, deserves a dignified burial.

I don't care where you come from or where you are to, everybody deserves a dignified burial. It's something that we spoke about and I will never move off it. I don't care what happens in life, unfortunately everyone has issues, but everybody deserves to leave this world in a dignified manner because everyone's life means something, Speaker.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: I just have a couple of words. I'll speak on my prepared note that I was going to say. It's not a lot to it but I had to – I could go on for a long time on that but I won't.

As the minister has already said, the legislative amendments are to enable the health authority to address the unclaimed bodies which are located in the Health Sciences Centre. Like I said, there have been many news stories about the freezers in the parking lot of the Health Sciences and government have claimed that the bodies which were inside were indeed unclaimed. So now we're getting the legislation to fix that. Again, I hope this never happens again.

The intent of the legislation, as the minister said, I won't repeat that but we've got a lot of questions in Committee, so I think I'd rather get to Committee and ask some more pertinent questions. But other than to say I'm glad it's here, it's long overdue and it's an embarrassment that we could have avoided. I'll wait for Committee.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I won't take up too much time here but the debate around the unclaimed bodies, it brought up two grey areas, really, in the sense that unclaimed remains existed in a legal grey area. There's jurisdiction over remains to suspicious deaths but there is no policy on how to deal with unclaimed bodies otherwise.

Another one was, that it also brought up about the cost of living and families struggling with the ability to pay for a dignified funeral and burial costs. So these two things did rise up from the stories in March. This is the two things, but here we are addressing the legal grey area when it came to the Chief Medical Examiner's office.

It adds the definition of unclaimed and it adds the ability for regulations on what would be dignified and what to do with the remains afterward. It is a very complex issue. How do you deal with it? We never had the means to deal with it. Hopefully now, with these amendments, we'll be able to deal with the situation and give individuals a dignified, proper burial, and the disposition of the remains and do it in a way that is respectful and the ability to do it.

The bill does seem to be leaning really heavy on the regulations side. So I do have a few questions on how the regulations are going to unfold and some of the limitations and stuff on how this is going to go. So I'll only have a few questions and it's clear that this is something that needs to be done.

It's something that we have to have to clear up some of this legal grey area and to address a situation that I don't think anyone in this province really wanted or anyone in this province really wants to continue. This is something that we really need to deal with to make sure that people are properly put to rest and we don't have these freezers and stuff out by the Health Sciences Centre any longer than we actually have to.

With that, I'll take my seat. I do have some questions in Committee for the minister.

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

P. LANE: Thank you, Speaker.

I'll be supporting Bill 85. We'll get into all the details, of course, in Committee of the Whole. I think it's pretty straightforward what's being done here.

I listened to my colleague from Conception Bay South and he is right in the sense that I remember when this broke in the media, that was what I was hearing from people as well up at the coffee shop, so to speak. People would be saying: My God, Paul, I can't believe what's going on that we have

human remains out in a trailer outside the Health Sciences and so on. He's right, the word was embarrassment. I heard a lot of people say how embarrassing is it for us that that would be what's happening.

In fairness to the minister – and, of course, it was a different minister, I think, at the time, who's no longer with us, but regardless of who the minister is – and I'm certainly not making excuses for the minister or the government in any way, but I do appreciate, I suppose, in a sense, sometimes I do sit back and it's easy for us over here sometimes – we have a job to do, obviously – to bring up issues of public concern and be critical when necessary. But I do look at that particular portfolio, the Minister of Health, and I sort of think about it and say: My God, if I was Minister of Health now, you're thinking about all those facilities right across the province, the issues with family doctors, the issues with emergency departments, mental health and addictions and everything, the nursing shortage and the doctor shortage and everything else.

I know we have health authorities in place to try to manage that, but I did have to ask myself the question: Is it reasonable, I suppose, for the minister to necessarily know every single minute detail that's happening in every facility throughout the province? I can see it being a challenge, I can see where perhaps the minister of the day – I have a feeling he probably didn't even know about it himself. I just have a feeling. I don't know, I can't say that, but I have a feeling that the minister of the day was probably just as surprised at the time to hear that those remains were being stored outside in a trailer as all of us were. I just have a feeling he probably was, because there is so much on the plate and can you absolutely know everything that's going on?

But I will agree with my colleague from Conception Bay South in terms of the communication and once the issue did come to light of what was going on, I think that's where the minister, at that point in

time, had to find out. That's where you make the call to Dave Diamond, I think it would've been at the time, or whoever the head of the authority is: I need to see you in my office, I want to know what the heck is going on here. Why has this come to light? Why am I finding out about this now? Why is the government being embarrassed by this and, more importantly, why are the people who are involved, the remains of the families, why are they finding out about this now? What's happening?

At that point in time, I think there would have been a responsibility certainly on the floor of this House of Assembly, when we get into Question Period and questions get asked, and we see it so often where questions get asked but they don't really get answered, but that would have been the time to come clean and say, do you know what? One of the big reasons causing this is because we have outdated legislation that does not allow for the timely disposition and respectful disposition of unclaimed remains. That would have been an answer.

It would have been fine with me. I would have accepted that. I would have accepted the fact that, do you know what? We have tons of legislation going through this House of Assembly all the time and things are always changing and always updating and I think that any reasonable Member, even if they're in the Opposition, even if it is their role to be critical sometimes, I think anyone would accept the fact, do you know what? There was outdated legislation and that's the major cause to this problem. Here's is our plan, we have officials working on it right now, as we speak, to draft legislation, to get it before the House of Assembly as soon as possible so that we can deal with this issue.

If we got a straightforward answer like that, I think everybody would have been – I mean, we would still be concerned obviously about it, but I think the story kind of would have went away, at least in the sense that we know what the problem is, the government has acknowledged the issue, they've

acknowledged what needs to happen and they're working on fixing it. I think we could have lived with that.

I think sometimes that's where we fail ourselves in this House of Assembly in terms of being open and honest about the information. Instead of trying to talk circles around it and not giving answers, give the answers, give the facts, say what you're going to do about it and then do it. I think it would make things a lot smoother. I kind of think that's where my colleague from Conception Bay South is going with it. I won't speak for him, he's more than capable of speaking for himself as we all know.

But, I guess, without dwelling on the past, the fact of the matter is that legislation is here now. So I'm not going to spend any time on beating up on anybody about why it wasn't done and so on. The fact of the matter is, it's done now. We have legislation. I'm sure we're all pleased that we have this legislation and that we're going to be able to fix these issues going forward.

The government has acknowledged, the government in previous legislation, the Minister of CSSD, I believe, has taken care of the issue around families who do want to take the remains but they can't afford to do so. That side of it has been taken care of, and we thank the minister for that, and now this side of it will be taken care of. At the end of the day, God willing, there will be no more tractor-trailers, there will be nobody out in parking garages and there won't be a need.

Because if this was being done properly and with the legislation in place now as we move forward, if this is done properly, in theory, we shouldn't need much space because the remains shouldn't be there long enough anyway. We should only need a smaller space to accommodate them just for those two weeks or three weeks, whatever the case might be, and then that issue is taken care of.

The reason why we got into this mess is that we had a problem and nobody bothered to fix it. It was either a case of the health authority knew and didn't take action or the health authority knew and told the Department of Health and they didn't take action. It was one or the other. I'm not sure which one it was and like I say, at the end of the day, it's being fixed now so I'll support the legislation.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

I'll just talk a little bit on Bill 85. I didn't plan to speak, but I think it's important to speak in the House of Assembly when you're talking about unclaimed bodies.

There is a lot of good in this legislation because it addresses the issue of unclaimed bodies. It was quite upsetting to everybody to hear about these unclaimed bodies at the Health Sciences being stored and how they were being stored.

But one of the things that we try to do over here, and I know my colleague from Conception Bay South raised the issue of why a lot of the bodies sometimes remain unclaimed. The Member for Conception Bay South talked about, basically, every life has value – every life matters. That's what he was saying earlier and so how do we end up with unclaimed bodies?

Unfortunately, one of the things we run into is the cost. Society has evolved; we have funeral homes. We have people living far from where somebody passes away. A lot of times when people go to a hospital, in my district, that's the issue we always deal with. But a lot of times bodies are not claimed because of cost of money. That's something that I think we need to address, that we

need to look at, not just dealing with the issue of these unclaimed bodies, but future unclaimed bodies.

The Member for Conception Bay South also talked about the issue of shame. Because every life matters. When people are born into this world, they have relatives, they have friends and they have people who care about them. So how do you let a body lie unclaimed? There's a lot of shame associated with that. I think what we have to do is we have to tell the people in the province that there's no shame in not being able to afford to bury somebody.

In my district, we face that a lot. I reached out to the Minister of CSSD at one point and we were looking at maybe getting help. But it's all about those who are on income support. That's a positive thing. But what about the families who are on low income, the people who are struggling to provide shelter for themselves to feed themselves and their families?

A lot of these decisions are very, very tough. But, for me, the reason why I'm speaking today is because back years ago in Newfoundland and Labrador, we had a problem with TB. A lot of people from Northern Labrador went out for treatment and they never came home. We have a lot of people who died and their bodies are somewhere – not in Labrador – and people don't even know where the bodies are.

I have to tell you, my mother does not know where her grandfather is buried. Somewhere in St. Anthony. My cousin actually has a job – she's been hired through Nunatsiavut. They made monies available for her to try and go to St. Anthony, because that's where most people went for treatment, to find out where our loved ones are buried.

So this is an emotional issue. It's an emotional issue because even though we couldn't bring them home to bury them, it didn't mean we didn't love them. So

everybody who's over there in those reefers, in those sea cans, probably has somebody out there who loves them. I have to tell you, that must be heartbreaking, because when you can't bury somebody, you don't get that closure.

But do you want to know something? We put another burden on top of that pain and suffering of not being able to bury your loved one, and that extra burden is shame.

The Member for Conception Bay South raised that several times. He raised it in Question Period. He raised it in debate. But, at the end of the day, it's about human decency. One of the things was, oh, we're a first-world country. We have so much support now. We have income support, we have family allowance and we have these different things. Different things that help people.

But, for me, how society treats their dead is a measure of that society. We just had to look at what happened in Nain. Almost two years went by, when the morgue wasn't working properly, and basically what was happening to the bodies that were there were in that room, to the point, it actually went up to Occupational Health and Safety.

The clinic in Nain couldn't get the issue addressed and there was excuse after excuse. First, the technician went in without any gas, the freon or the coolers, whatever the coolant is called now. I have to tell you no refrigeration technician that knows anything about his job would actually have a cooling system that's blowing hot air without thinking it's got to be the freon or the cooling system.

My brother worked in refrigeration. He was a refrigeration engineer. He used to go along to the fish plants. If somebody said, Tom, my freezer is not working. The first thing he would do is check the coolant, but they went up without the gas and then months and months and months and months passed and, in actual fact, just

recently, it went to the media. We went back through ATIPP from when it went to media to when the last conversation about getting somebody up there, it was months.

As my colleague from Conception Bay South said if CBC didn't break the story about the reefers over there with the dead bodies, would there have been a solution? Would there have been something done to help? I have to say the same thing for the morgue in Nain, Speaker.

Because in ATIPP, there was probably almost a six-month period where there was no real follow-up about doing anything that would prevent the decomposition of our loved ones to the point where it went into Occupational Health and Safety for the poor old nurses to go in that room. The smell was so bad they would have to air it out and, even then, they had to hold their nose. It was an Occupational Health and Safety complaint.

So how is this province, how are the people, how are the health authority treating our loved ones – six months. Do you know what was in ATIPP? They were quoting me in CBC, being interviewed by CBC, saying that our people deserved to be treated with respect. Our loved ones who had passed away deserve to be treated with respect, which is why I'm standing here today because with those coolers, with those sea cans over there at the Health Sciences, people need to be treated with respect.

We are not really a first-world country if we don't allow for people who have loved ones to be able to claim their bodies, yet we let money stand in the way. This has happened.

So what would happen if CBC hadn't broke the story? We are a society and we are a government and we are, basically, a parliament that rules by media. So what happens if I can't get media to pay attention to my problem? Is my problem not important? It goes back to the old saying

that college students have stuck up in their room – if a tree falls in the forest, does it make a noise?

If there's a serious issue, a health care issue, a moral issue, a dignity issue, a human rights issue, if this government doesn't see it in media, will they respond to it? Because I've got to say, in my district, without the media, I tell you we are not getting ahead. That's a sad thing. That's really, really sad. How society treats its dead, you know, is a reflection on them. Basically, here in the Province of Newfoundland and Labrador we failed miserably, which is what my colleague from Conception Bay South was getting at. That's the heart of the matter, Speaker.

Thank you.

SOME HON. MEMBERS: Hear, hear!

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

The hon. the Minister of Health and Community Services.

J. HOGAN: Thank you, Speaker.

It's a bit of a loss here how long I want to speak for, but I will be very brief because I know there are questions coming in Committee and we'll get to all the relevant issues in the bill, I'm sure. But, of course, everybody here wants to see the respectful disposition of people who have passed away here in Newfoundland and Labrador, whether it's through family's choice or their own choice or maybe someone who wasn't even able to make that choice before they passed away. No one here thinks that isn't important. It's very, very important.

So we do have this bill here today to address this situation, a very specific situation where an individual has been unclaimed. For whatever reason that may be and, certainly, when we develop the

regulations, it will allow NLHS to make that determination of when an individual's body has been unclaimed, but it could be through all kinds of circumstances. Someone might have no one here. Someone might have family that, for whatever reason, aren't going to take responsibility for that individual. I could go on and on. It could be a financial reason, as well, but the Minister for CSSD has made every effort to increase the funding available for people to deal with that issue if they need the help with the cost of a burial.

So this is an important bill. It certainly sounds like we have the support of the House and I do look forward to questions in Committee.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Is the House ready for the question?

The motion is that Bill 85 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 Provincial Health Authority Act and the Fatalities Investigations Act. (Bill 85)

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 Provincial Health Authority Act and the Fatalities Investigations Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 85)

SPEAKER: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Speaker.

I move that this House do now resolve itself into a Committee of the Whole to consider Bill 85, An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act.

SPEAKER: And a seconder?

L. DEMPSTER: That is seconded by the Minister of Health and Community Services.

SPEAKER: Thank you.

It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider Bill 85.

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 reviewing Bill 85, An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act.

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

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Minister, will these regulations be published and available to the public?

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

J. HOGAN: Yes, I think as I said, the act should come into force January 2025 and then once that's done, we'll work through the regulations and, yeah, they'll absolutely be public.

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

B. PETTEN: I assume these regulations are already written and ready for public viewing if they're coming up in January, correct?

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

J. HOGAN: No, I wouldn't assume that.

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

B. PETTEN: Yes, do you know what? He's right, there's nothing I'd assume anymore.

When will we get to see those regulations?

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

J. HOGAN: Sorry, I wasn't trying to be saucy; although, it probably came across that way.

But in all honesty, the regulations will be Gazetted as they always are, but we do anticipate – I think I did say it in my notes here so I'll just say it again the regulations will include information related to the determination by NLHS as to whether a body is unclaimed.

We think that investigation will last 14 days, that seems to be standard across the country; require NLHS to provide notice that a representative is being sought for a body. Obviously, it's important that NLHS make every effort to find someone to deal with an unclaimed body, because potentially it could be claimed if they find the right individual. Regulations should require NLHS to contact specific individuals, including relatives, friends or maybe persons that they know would've been a relation or friend to the deceased person. So those are some of the things the regulations are going to look like.

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

B. PETTEN: Minister, will this address the hundreds of deceased persons that are presently in funeral homes around the province?

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

J. HOGAN: I'm a bit squeamish about talking about numbers here that this will deal with because I don't want to make it sound like these numbers even – they're not really, really big numbers, but it doesn't make them any less important. So I want to make that very clear. If we're talking about one individual that's unclaimed, that's one too many and the point of this bill is to address that individual.

The numbers right now when we're talking about, for example, the Health Sciences

morgue, I think is around three dozen. I'm going to use general numbers for privacy reasons and, as I said at the outset, I don't want to cause anyone any discomfort talking about people who have family members or friends who may be in one of the morgues operated by NLHS. To be clear on that, there are people in the morgues, in these units that we're talking about, that are claimed, they just haven't been dealt with yet for one reason or the other.

So when we were talking about this bill with regard to that, approximately three dozen individuals, we're looking at the ability for NLHS now to dispose of remains of about, I would say, fewer than 20 per cent of that total.

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

B. PETTEN: Minister, just so I'm clear, you said about three dozen, that's in total and you're saying 20 per cent of those are the responsibility of NL Health Services. So the other 80 per cent are whose responsibility?

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

J. HOGAN: They would be the responsibility of the Public Trustee. So of those other ones, they are either with the Public Trustee and the Public Trustee is working through the system, whether it be the court process or dealing with families or friends and there will be about half a dozen with the Chief Medical Examiner under the *Fatalities Investigations Act*. So that would be individuals who are unclaimed or unidentified. Then the Chief Medical Examiner, once they finish their investigation, will be able to dispose of it. So the Public Trustee can deal with remains; the Chief Medical Examiner can deal with remains.

There is a gap, and the purpose of the legislation is to plug that gap to allow NLHS to deal with those remains who either aren't

going to the Public Trustee, for whatever reason, or aren't going to the Chief Medical Examiner because they don't fall within that piece of legislation. If they're already at a funeral home, they're not the authority of the NLHS.

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

B. PETTEN: These people that the NLHS are responsible for, will they be identified when either cremated or buried, will they be identified with any form of marker? They're not going to remain, I would assume, they wouldn't stay Jane or John Doe.

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

J. HOGAN: Well, they might be. They might still be Jane or John Doe. Part of the issue is if you have unclaimed remains, they might be unidentified as well. You can be identified and unclaimed and more can be unidentified and unclaimed. So in any event, if they are unidentified and unclaimed and the investigation is done and NLHS is unable to find anyone to obviously address the situation and can't find anyone to identify that person, then the regulations will allow, with oversight of the Chief Medical Examiner, to dispose of those remains. That's why that oversight is there. If NLHS makes a recommendation on how to dispose of a Jane Doe or John Doe, that there's oversight there to make sure it's done respectfully.

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

B. PETTEN: So just so I'm clear, if you know the identity of these deceased persons, they will be identified at a proper burial, correct?

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

J. HOGAN: I think, if they're unidentified or identified, there will be a proper – no, I know, there will be a proper burial.

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

B. PETTEN: But my question is, I appreciate and respect the proper burial, it's something that I've asked for as you're well aware, but will the ones that you're aware of their identity, will they be marked at a gravesite?

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

J. HOGAN: Yes, or if they're cremated as part of the investigation, we might find that that individual wanted to be cremated or their family wanted them to be created, but, yes, they will be marked appropriately.

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

B. PETTEN: Minister, did you consult with Justice and Public Safety and will the Office of the Public Trustee's role change as a result of this legislation?

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

J. HOGAN: We did consult with the Department of Justice and Public Safety. The Public Trustee's role is not changing in this legislation.

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

B. PETTEN: Minister, will there be DNA kept from any of those Jane and John Does or any of the remains? Was that something in this bill or do we already have that ability to do so?

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

J. HOGAN: This specific bill doesn't have any provisions related to DNA.

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

B. PETTEN: But does the existing legislation, I guess, with the Medical Examiner's Office, do they have that ability?

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

J. HOGAN: I can review – sorry, what piece of legislation did you ask about?

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

B. PETTEN: Under the Medical Examiner's.

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

J. HOGAN: I can review that. I don't have that here in front of me so I can't answer that right now.

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

B. PETTEN: Minister, did you consult with the Law Society and, if so, did they raise any concerns?

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

J. HOGAN: We did not consult with the Law Society.

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

B. PETTEN: You said 20 per cent of that 36, which is six or seven, are those bodies or deceased people in the coolers right now down in the Health Sciences or will they be dealt with? Is the 20 per cent in those coolers that are presently at the Health Sciences Centre?

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

J. HOGAN: Yes, that's right.

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

B. PETTEN: But the bodies in the funeral homes across the province, which again we're assuming there are 29 bodies unclaimed or what have you, they still will not benefit by this legislation – correct?

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

J. HOGAN: It's just hard to answer that question that they will not benefit from it. It's not aimed at addressing any issues that may exist at funeral homes. It's aimed at addressing gaps that NLHS have with regard to bodies in their custody.

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

B. PETTEN: It's clear as mud.

Under clause 2, it says it enables you, Minister, to direct a cemetery to provide interment at a rate set by yourself. So is this enabling you to force private entities to inter unclaimed bodies? Can you elaborate more on that part of the legislation?

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

J. HOGAN: I can. I'm just trying to find it.

Sorry, do you have the section? I can't seem to find it. I read it and I know what you're talking about but I can't seem to find it.

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

B. PETTEN: It's under clause 2.

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

J. HOGAN: Okay, sorry.

When the regulations are developed, it will allow and give authority to NLHS to provide and pay for burial or cremation of an individual. The expectation is that NLHS will procure those services, but this is a bit of a, I guess, backstop in the event that NLHS isn't able to do it, then the minister will direct that it is done.

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

B. PETTEN: But at what rate? How does that work?

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

J. HOGAN: So rates will be set in consultation with cemetery owners. It won't just be randomly set by the minister of the day. It will be done in consultation to make sure that they're paid, for lack of a better word, the proper going rate for those services at the time.

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

B. PETTEN: How will the funeral home be decided? Will it come from their last-known address?

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

J. HOGAN: Again, this is a bit of a backstop of the event that NLHS isn't able to find someone to procure those services, then the minister may not be left with any choice but to find an available site. I would certainly hope that the minister of the day would consider where the individual lived or where they came from. Again, if it's an unidentified, unclaimed person, we may never know.

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

B. PETTEN: Minister, sorry about going back on an issue, but I've got to get it clear in my own mind. So the bodies or the remains or the deceased person – I don't know the proper terminology. I think deceased person is probably better. Are sitting in those funeral homes now that we hear about and I've spoken to some funeral home operators – what's the answer for those? Most of those are not Jane Does.

So what is the answer for those if they don't fall under CSSD or NLHS but they're still sitting – throughout the province we're told – in other funeral homes? So what's the answer?

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

J. HOGAN: This bill is about the bodies in what you have referred to as freezers. I can only answer questions about that issue that's before me and the amendments that propose the deal with, as I said, a gap where there is someone who is unclaimed and nobody has authority to address it. Somebody clearly had authority to address the issue if the remains have arrived at a funeral home.

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

B. PETTEN: So in a nutshell, no one really knows that answer.

You're dealing with the NLHS. So we've still got a gap in our system if we've got bodies that are sitting in various funeral homes throughout the province and not after having a proper burial.

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

J. HOGAN: I'm sure the numbers – I shouldn't say the numbers, but I'm sure you

can break out the numbers at funeral homes, the same way I broke out the numbers here with regard to bodies in morgues in the province. I'm sure there are all kinds of reasons of why there are remains at funeral homes. Whether it's cost, whether it's people who aren't taking responsibility. Maybe, potentially, it could be working its way through the Public Trustee, but that is a separate issue for bodies that have been claimed and dealt with to get to the funeral home stage as opposed to unidentified and unclaimed remains in the responsibility of the provincial government.

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

B. PETTEN: So I appreciate that, Minister. Maybe this is not under your purview, but I think it should be duly noted – we're on this topic – how do those people get a proper burial? This may not be under your responsibility, but I think it should be brought out here in the House of Assembly. We're debating legislation.

How do we get those people a proper burial? It seems like we're after getting the CSSD with the income support piece, now we're dealing with the NLHS responsibility. Still, there's a gap there. What's the answer?

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

J. HOGAN: The issue we're dealing with today is unclaimed remains. They're not unclaimed if the remains have found their way to the funeral home. Now, why they're there and not going any further, I guess, is an issue separate from this bill.

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

B. PETTEN: I'm still not getting my clear answer on it. It's the obvious there. I mean, those bodies are in those funeral homes and I'll just go on record as saying that they

deserve just as equal a dignified burial as whether you're on income support and the NLHS.

Minister, you may direct the owner or operator of a cemetery to provide an interment for unclaimed remains at a rate set by yourself. The funeral homes, they're two separate entities. Funeral homes are private businesses, where churches own the cemetery offices.

So can you clarify – there are two different groups there. Where the burial may happen, the funeral home has no ownership in that one. They're owned by church offices. Again, you pick the funeral home to provide the burial. Are you leaving that to them to decide what prices? Because everything is at a fee, as we know, but churches are operating most gravesites where the funeral home looks after the – there are two groups involved.

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

J. HOGAN: Unclaimed remains at NLHS may not go to a funeral home. You seem to be mixing up two issues. With regard to unclaimed individuals, that's the responsibility of NLHS, which I gave you the numbers on that right now.

NLHS will then make every effort available through the regulations to try and identify the individual, to try and identify how that person wants to be, either be buried or cremated, where that person wants to be buried or cremated, how that gravesite may be marked with regard to that individual's choices.

If an individual has been taken to a funeral home or their remains have been cremated and they're at a funeral home, it is not the responsibility of NLHS. That is then shifted to somebody else.

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

B. PETTEN: Minister, just take one deceased person from the cooler, so to speak – I hate using that word a lot – how are they going to get from there to a grave site? Who's going to do that?

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

J. HOGAN: Those services would be procured by NLHS. It's their responsibility, the same way if you were a trustee of the estate, it would be your responsibility to deal with that. NLHS would now have the responsibility to deal with those individuals.

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

B. PETTEN: Obviously, they're going to procure a burial from one of the area funeral homes. So it will be a funeral home that will ultimately providing burial?

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

J. HOGAN: I don't know the ins and outs of what funeral homes are doing, but, yes, they will be buried, they will procure the appropriate services to do so and NLHS will be responsible for doing that. The same way as any administrator or executor of the estate would have to do.

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

B. PETTEN: Yeah, that's the point. We're going to get into procurement, but they're the only ones that have crematoriums. If you're looking at cremation, which seems to be the – I mean, I hate to say it, but it is the more cost-effective way. I think that's the norm now anyway, a lot of cremations. Those are the only ones who can do that are funeral homes. That's why I asked the question.

But that's going to be all done under procurement, so they will have to deal then

with these individuals. Wherever the remains may end up, that will be up to the funeral home under the procurement process to get that. Am I correct?

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

J. HOGAN: Yes, that's correct.

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

B. PETTEN: Will individual regions of the province with remains in their own hospitals be able to use the local funeral home? How will that happen, because it could be out in St. Anthony, I don't know, there could be other morgues outside of this one. How will that happen in the region? Will that all be done by NLHS locally, if you're looking at procurement, or will it be done locally to that hospital?

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

J. HOGAN: It is all done by NLHS. I guess, I'm comparing them to an executor of an estate and it will be incumbent on them to consider all factors as part of their investigation to where this individual might want to be cremated and/or interred. If that is in St. Anthony as opposed to St. John's, that will be part of the NLHS's investigation.

This is why we added the oversight of the Chief Medical Examiner to have a second set of eyes on it to say you didn't really look at this part of the province in this situation, I recommend you go back and look there, rather than bury them in the other part of the province.

So there are two sets of eyes that will be on this, the initial investigation and the oversight by the Chief Medical Examiner.

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

B. PETTEN: Minister, did you consult with the funeral home association?

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

J. HOGAN: No, we did not.

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

B. PETTEN: Did you consult with the cemetery offices of the various churches that own or control the cemeteries?

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

J. HOGAN: No, we did not. Again, they are the system, the same way for any individual who has claimed remains, an executive or an administrator has to then go through that process. NLHS will now just be stepping into the shoes of an individual who has been unclaimed.

So it doesn't change anything with regard to how the funeral homes operated or how cemeteries operate. They will be fully paid for their services. We are not trying to do this for anything less than what they would be entitled to.

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

B. PETTEN: Minister, did you consult with the Department of CSSD?

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

J. HOGAN: Yes, and just on the notes of consultation, we will obviously consult with any entity that charges for these services when we set the rates because the rates will continue to change as we move forward in the future as well.

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

B. PETTEN: So this legislation, essentially, will have no impact on income support clients, correct?

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

J. HOGAN: It doesn't change the rates available to people who seek funding for this through CSSD, no.

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

B. PETTEN: Can't you be NLHS's responsibility but still be in receipt of income support? I know I might seem like I'm blurring the lines but ...?

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

J. HOGAN: This is only filling the gap of someone who is unclaimed. I mean, if they're unclaimed and they're unknown, I wouldn't know if they're receiving income support.

The individuals, for example, who are gone through the Public Trustee may very well be individuals who are on income support. That's why they go to the Public Trustee, right?

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

B. PETTEN: Yes, but, Minister, on that note, obviously, if you don't know who they, that's different. But there will be some that you will be able to identify. Do those divert back to the responsibility of CSSD or how does that work?

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

J. HOGAN: That, again, is one of the reasons that funding was increased, because I think it hadn't been increased in a while, to make sure that individuals who

can't afford it then have the ability to proceed with family members who are claimed and wanted to bury that individual. That's what the income support is there for.

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

B. PETTEN: Will the threshold be the same for payment, the same as Income Support clients or is there going to be two different tiers? Basically, you're looking at, you're going to get them to procure, so obviously some of the burials may be more expensive than \$4,500 – I can't remember what the Minister of CSSD – he may be able to answer that question, what that threshold is.

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

P. PIKE: I can.

Funeral Assistance benefits, for example, an enhanced program, that's the new program that we brought forward over the summer, up to \$5,000 for a funeral. So it's up to \$5,000 per funeral, up to \$1,500 for additional expenses and \$1.25 per kilometre for transportation.

In the world of CSSD, that would mean that if a person was a CSSD client and they lived in Gander, then we would pay for the transportation costs. The same as if they lived in Labrador, it would be the same thing, because we had a great conversation about that last year to make sure that happened.

So we pay funeral homes directly for these services, CSSD would. I would imagine it would be much the same process.

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

B. PETTEN: Thank you, Chair.

Minister, under clause 3, the amendments which provide responsibility for disposal to

the health authority. Why is it chosen that the health authority who oversees disposal of bodies must consult with the Chief Medical Examiner? Why do they not take that responsibility instead?

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

J. HOGAN: This is what I referred to earlier as the second set of eyes, the independent oversight, just to make sure that once NLHS has done its investigation under the regs, done its due diligence and made decisions on how to address or deal with unclaimed remains, then what we've added is, we asked that they consult with the Chief Medical Examiner for any further recommendations that the Chief Medical Examiner may have.

So it's just a level of oversight. To be honest, it wouldn't necessarily be there to deal with the gap but I personally felt that situations such as this it's good to have a second set of eyes on it just to make sure that all investigations and protocols were followed.

You only get one chance at this really, so we want to get it right.

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

B. PETTEN: What kind of time frames were associated with this, Minister, this process between the health authority and the Chief Medical Examiner's office? Are there any anticipated timelines that this would take or how fast or expeditiously this could happen?

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

J. HOGAN: So we anticipate that the regs will say that the determination as to whether a body is unclaimed shall last 14 days. Once it comes into custody of NLHS, they should take about two weeks to do their investigation and due diligence and then

once that is done and a recommendation is made to the Chief Medical Examiner, they'd report back very quickly and then they could carry out the recommendations.

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

B. PETTEN: Minister, did you do a jurisdictional scan and, if so, could you tell us the results?

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

J. HOGAN: Yes, we did do a jurisdictional scan. To be honest, there's no consistent approach across the country. It is different. One of the reasons it is different in other parts of the country is there are more municipalities that would be in charge of cemeteries where we don't necessarily have that here.

So just kind of tailored approach depending on how each province addresses this issue, but we did look across the country and felt that this was the most appropriate for a homegrown solution, I guess.

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

B. PETTEN: Any idea on how much this is expected to cost, Minister?

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

J. HOGAN: We can do the math on about a half dozen right now times \$5,000, I think. Obviously, it's an ongoing issue. This bill is not meant to just deal with the issue today. This bill will exist, obviously, in perpetuity to continue to deal with unclaimed remains as we go forward in the future.

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

B. PETTEN: But in fairness, though, Minister, under procurement, we're assuming – because they have a set rate of \$5,000 with income support. We don't know under procurement – I mean, it comes in at the lowest bidder. That could be much higher. We may not be but we can't prejudge that.

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

J. HOGAN: No, I'm just giving an estimate based on some numbers that we talked about here today. We will obviously have a better handle on it once the process starts rolling out and we start paying for cremations and burials. I anticipate that the cost will go up as we go forward in the future.

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

B. PETTEN: Minister, is there any process to determine religion of the deceased individual that would obviously impact where the person was interred?

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

J. HOGAN: You said religion? Yes, that would be far enough in regulations where NLHS will have to comply with the requirements prescribed in the regulations before arranging for the disposition of unclaimed remains. That's in section 20.1(2b). That will be part of the regulations, as I said, to make sure that an individual's religious backgrounds and/or cultural backgrounds are respected when they deal with unclaimed remains.

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

B. PETTEN: This may be a rare occurrence, Minister, but what happens if there's a disagreement between members of the family or members that may know this

individual about the process? How do you deal with those disagreements? That might seem far-fetched, but it's reality, we all know it. We've already seen one play out in public a few months back with a family.

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

J. HOGAN: Do you know what? I never practised family law because it's a very difficult, I suggest, area of practice because you hear a lot of family grief and issues and squabbles. Family law lawyers charge very high rates, to be honest with you, in this province to do the work that they do.

So I can't answer that, because if there are two family members who are in such an issue, it doesn't necessarily mean that the body is then unclaimed. It just means that individuals aren't willing to make a decision on how to deal with it or aren't willing to agree on a decision on how to deal with unclaimed remains. A lot of times that can end up in court and a judge will have to make a decision on who the executor or administrator is and then that individual will have the ability to dispose of the claimed remains.

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

B. PETTEN: Minister, under the *Fatalities Investigations Act* under clause 13, how was the seven-day period for disposition of remains arrived at?

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

J. HOGAN: This is not a new section; this is not an amendment. This is an historical number for seven days with regard to the Chief Medical Examiner, once they complete their investigation. The change to this section is really wording with regard to the Chief Medical Examiner possessing the unidentified or unclaimed remains.

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

B. PETTEN: What about the body that may be part of a criminal matter subject to further examination by other experts or legal appeals?

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

J. HOGAN: That would remain with the Medical Examiner under his or her authority.

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

B. PETTEN: Minister, under clause 14, how will a so-called Jane Doe body be treated?

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

J. HOGAN: Sorry, I didn't hear the question. How will the what?

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

B. PETTEN: I said how will the so-called Jane Doe bodies be treated?

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

J. HOGAN: So that will have to be a recommendation by NLHS as they go through their due diligence in the regulations. If it's a Jane Doe and there's absolutely no information on her, they'll be disposed of, as I said, in accordance with the regulations, which there's only so many ways to dispose of unclaimed remains. They'll either be cremated or buried at a cemetery.

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

B. PETTEN: I have no further questions, Minister.

CHAIR: Okay, thank you.

Any further questions from anyone?

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

J. DINN: Thank you, Chair.

With regard to the timeline, just overall, when a body is not being claimed, what is the beginning to the end – like where we'd see a body being interred, would it be within a month, two months?

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

J. HOGAN: As I said twice already that the intent in the regulations will be that investigation of an unclaimed body shall last 14 days. That's what we anticipate having in the regulations. Then, of course, it would follow the normal process once that investigation is done and the CME signs off.

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

J. DINN: Thank you, Chair.

With regard to giving the minister the authority to direct the cemetery owner to provide interment for unclaimed remains at a rate set by the minister, I'm assuming this wouldn't be arbitrary. Would this be in consultation with the cemetery owners and with the funeral homes as well?

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

J. HOGAN: Yes, that's right. It would be in consultation and provided at appropriate rates as they provide that service to other members of the public.

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

J. DINN: As I understand it – and I stand to be corrected – would this bypass the funeral

homes? If I understand the legislation correctly, anyone can claim a body and they pay to have the grave open and buried. They don't necessarily have to go through a funeral home.

So is this anticipating that it wouldn't go through a funeral home, as such, if it was an unclaimed body, that it would be just buried?

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

J. HOGAN: Just to reiterate that this is a backstop in the event that the NLHS is unable to procure appropriate cemetery to interred unclaimed remains.

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

J. DINN: Again, to clarify, so this doesn't anticipate that the unclaimed remains wouldn't have to be claimed by the funeral home and they would take care of it? This would be just straight burial, is more or less what I'm asking.

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

J. HOGAN: Yes, that's what that section says.

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

J. DINN: I understand regulations will be sometime in January or February?

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

J. HOGAN: No, what I said was the amendments for this piece of legislation, should it pass today, will come into force January 1, 2025, and that will allow us to develop the regulations at that point in time.

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

J. DINN: How long would you anticipate before regulations would be in place? Because most of the bill leans heavily on regulations.

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

J. HOGAN: I can't give a specific date; however, I did outline some of what we anticipate will be in the regulations, so obviously there's been some thought put into them, so I don't anticipate it'll be too much longer after January 1, 2025.

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

J. DINN: Would that too much longer after, say, by the summer, or before the budget? I'm just trying to get a rough timeline.

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

J. HOGAN: I don't anticipate it'll be very long.

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

J. DINN: Thank you, Chair.

It's not very long. So there's a good chance then by June I guess, we would have regulations in place. Would that be a fair expectation?

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

J. HOGAN: Yes.

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

J. DINN: Section 20.1, (2)(b), can the minister explain what requirements will need

to be complied with before the authority can arrange for the disposition of unclaimed remains?

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

J. HOGAN: Sure. As I said, some of the regulations we look to develop will include determination as to whether a body is unclaimed. That investigation shall last 14 days, require NLHS to provide notice that a representative is being sought for a body, so give public notice about the unclaimed remains, as an attempt to find an individual to maybe perhaps claim it, or provide further information, and not only give that notice but require NLHS to attempt to contact any known relatives, friends or persons who may be entitled to control disposition of the remains.

So some basic due diligence there, make sure that NLHS makes every effort to publicize the situation, and makes every effort to find an individual to come forward to, as I said, not necessarily claim the remains, but provide information about the individual.

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

J. DINN: Thank you, Chair.

In clause 3, section 20.1, (2)(d), can the minister explain what means of disposition of the unclaimed remains will be permitted under this regulation, and what means of disposal will be used?

I believe the minister said that it's very limited as to how, but I know that if a body has been frozen for a while, the options are either closed casket or a cremation would be the best. So I'm just curious as to what would they be anticipating there.

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

J. HOGAN: Cremation and burial, or other method as appropriate in the circumstances; there may be some other cultural way to dispose of unclaimed remains, that I'm not aware of right now. That would be as part of the regulations to make sure that all those possible situations are investigated and recommended by the NLHS.

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

J. DINN: Would a donation to science or anything along those lines be permitted under this?

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

J. HOGAN: That would be based on the recommendation of NLHS. If they find an individual that they know that that's what they wanted done with their body, I don't see any reason why we couldn't include that in the regulations.

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

J. DINN: Thank you, Chair.

Is there an anticipation of the cost per person, I guess, for an unclaimed body – like, to go through the process.

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

J. HOGAN: The process in terms of the investigation is the question?

J. DINN: The investigation from the point, let's say, to where it's determined and the body is disposed of in a respectful way.

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

J. HOGAN: Well, the process of cremating and burying people here in Newfoundland

and Labrador is a known cost. It may fluctuate between regions in the province, but it doesn't fluctuate much between funeral home and cemetery, so that is a known cost, at least at this point in time. As I said, I'm sure those numbers will continue to increase, as everything does as we go forward.

With regard to the cost of the investigation, I'm sure that will vary as well, and that could depend on how far and wide the net needs to be cast to try and find an individual who has information about someone who is unclaimed. It might just be a phone call; you might find someone, a neighbour for example, or the individual might be from a country outside of Canada, where it might take a lot more effort to try and track someone down. So that cost obviously can vary greatly, depending on the individual circumstances.

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

J. DINN: Much of the issue, why we had a part of the problem – in talking to funeral homes – is that for many years they would argue that they had never been paid the full cost, or compensated fairly for the cost of even a simple cremation.

So I guess the question is there – and I take what the minister says, that obviously things go up, there's inflation – in determining that amount, is this going to be part of a regular consultation with funeral homes, or if they strike an association of some sort to determine what those costs are, so that I guess we don't see a repeat of what we've seen for the last year or so, but more or less make sure that there is consultation and a fair compensation for funeral homes, I take it. I'm assuming it's going to be the funeral homes doing the cremation.

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

J. HOGAN: This will be an open process RFP, if necessary, when NLHS deals with this issue.

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

J. DINN: So if it's put out for an RFP, depending on the region, I guess, that would be one funeral home that would be selected to take care of all the cremations of all the unclaimed bodies?

Because we have Barrett's, Carnell's, Caul's in the metro area, but I'm just wondering, that RFP, would they have the bid to put in and would one funeral home be selected?

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

J. HOGAN: I don't know what this RFP will look like. They might very well do it by zones. They might very well do it on a one-by-one basis. The numbers are going to change over time. I don't think it's fair to say right now this is how everybody is going to be dealt with under this piece of legislation.

The fact that we have regulations that need to give NLHS flexibility to do their investigation and to consult with the Chief Medical Examiner, I think just shows that everyone's situation is going to be different, every investigation is going to be different, some are going to be quick and some are going to take up to 14 days, potentially. How the remains are dealt with, a lot of them are going to be the same and some are going to be burial, some are going to be cremation, but where, when and how it takes place certainly is going to depend and vary between persons.

CHAIR: No further questions?

The hon. the Member for Conception Bay South.

B. PETTEN: Minister, upon some reflection – I know we asked for a few questions – but I’ve got to go back because based on the questions and the answers, to me it’s like we need another piece of legislation here. Because we’re back to income support recipients, under the Minister for CSSD, we increased the amount to deal with those. That left 36 deceased persons in those unsightly coolers.

You tell me that 20 per cent of those are the responsibility of the NLHS. So my quick math tells me we still have 29 bodies remaining in those coolers. So when this legislation passes, what happens to those 29 unclaimed remains in the coolers, if you’re telling me there’s only 20 per cent that comes under your responsibility?

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

J. HOGAN: So about two dozen are the responsibility of the Public Trustee, so they will be dealt with through the Public Trustee. Just to be clear, what the Public Trustee does is they have authority over these remains and they have authority over the entire estate of this person. They will deal with that through the Public Trustee process, the same way any individual who may have an administrator or an executor of their estate will be dealt with.

There is approximately another half dozen that are under the authority of the Chief Medical Examiner, who has authority to dispose of the remains as well. The only gap we are filling, the purpose of this bill, is to give NLHS authority where there are unclaimed remains that are not the responsibility of the Public Trustee, not the responsibility of OCME.

CHAIR: Any further questions?

The hon. the Member for Conception Bay South.

B. PETTEN: Fair enough, Minister, but I guess the point of the matter is, how come they’re still there? If that’s under the Public Trustee, that comes to the root of the problem. A lot of these remains have been there since this issue has played its ugly face in public for too long a time. So why is this not dealt with, I guess is what I’m saying.

Because we’re not solving the problem today. Obviously there’s going to still be, when this legislation goes through and those procurements happen for those 20 per cent, we still have 80 per cent. So we still have a problem.

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

J. HOGAN: No, I think he’s making an incorrect assumption that the people that were in the freezers and the morgues last year when this was raised are the same people. It’s not true. People move in and out. People are continuing to die in this province and they move out of the morgues from NLHS through the Public Trustee process, through OCME’s process, and more people die and come in. There are about half a dozen I know that are going out I think this week to Barrett’s, for example. But there are probably going to be more coming in.

So it’s not that we haven’t solved the problem and the same three dozen are in the freezers since the story came to light whenever it was last year which you spoke about. There are always people going to continue to die in this province and always people that we have deal with through the system.

Really, the number, my understanding, hasn’t exponentially grown since the issue was raised. It’s still hovering around the same number and it is not the same in the freezers that were there this time last year or whenever the issue was raised.

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

B. PETTEN: I guess, though, what begs to be asked here is how come we're still dealing with coolers? That remains to be a problem, even if they were stored in a dignified manner in a morgue, which we haven't got a big enough space down there.

The Chief Medical Examiner's office has been under review. We had a report come back a long time ago. As a matter of fact, someone I know quite well actually told me, and someone who was involved in the funeral home business told their daughter that when anything ever happens to them, don't order an autopsy because they don't want their remains down in the Medical Examiner's Office, because they were going in every day and seeing it. Obviously, all we've changed now is we've put coolers there.

That's the tip of the iceberg, Minister, and I think we all realize that. The bigger issue is that we have to still provide proper dignified – to deal with any remains. These coolers are still in operation. So if people die in the province, and I get all that and there may be different bodies there, but I don't care when they came there, the response of that question is the bodies are still there.

So here we are today, you're going to take seven out of it and we're still going to be left with, I don't know, 29. If they come in last month or six months ago or last week or last year, my question is, this day in age, do we have to have a cooler down in the parking garage of the hospital with bodies in it? Unfortunately, what I'm being told today is, because we have a lack of facilities, here we are, we're going to be still faced with that same dilemma.

On one hand, you're kind of happy that some legislation comes through, but I still think we have a problem because this issue will prolong itself until we get a proper, overall, the full Chief Medical Examiner's

office and morgue to deal with this full situation properly. These coolers are not going out tomorrow. It's not like this legislation changes that. So we still have a problem.

CHAIR: The hon. the Minister of Justice and Public Safety.

B. DAVIS: Thank you, Mr. Chair.

I've listened intently to the debate here today. The Minister of Health, as well as the Minister of CSSD and our office in Justice has worked very closely with this – pieces are handled by each part. I do take a bit of exception from the MHA for CBS about saying that they wouldn't want to be with the Chief Medical Examiner's office. I don't think that's a fair assessment of the Chief Medical Officer.

AN HON. MEMBER: (Inaudible.)

B. DAVIS: Well, you just said that an individual said I wouldn't go to the Chief Medical Officer's office.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

B. DAVIS: All I can say is that the Chief Medical Officer in this province is working very, very hard and diligently to try to move processes as fast as they possibly can. Some could be held up with investigations dealing with those processes, collecting evidence and things like that. Those are all issues that present themselves to individual cases.

The idea that these same individuals are sitting in the morgue at Health Sciences is absurd. The 36 people or three dozen individuals that have been in that situation are being dealt with in varying degrees of success and, obviously, there's time. If the Public Trustee is working at it, which happens to be in our office, they're working very hard to try to move those processes as

fast as they can, but there are complex family issues that are being dealt with in individual cases.

Some move very quickly. There are some that will move through an estate very, very quickly but there are some people who contest estates and say that I want my dad or mom to go to this particular spot where I'm to. Well, my brother may not want that same option and then they have to try to determine that through the Public Trustee and through other means. This is what that process is trying to do.

We're trying to deal with the situation that's occurred for some six individuals in the current situation that are in a gap space. We're trying to fill that gap in this piece of legislation. We're working very hard to try to make that work and the second set of eyes through the Chief Medical Examiner's office is important, we believe, to the situation to ensure the best integrity and to make sure that we're moving as fast as we can and look at it from the best possible perspective.

I hope that adds a little bit of clarity. If I misquoted you, it was not my intention. It was just what I heard said was that an individual wouldn't want an autopsy requested for that. That's not going to hold up the process based on what we've got to go through that process.

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

B. PETTEN: Thank you, Chair.

You know it's amazing sometimes, you get into, I don't know, it's been an hour and a half, probably, that we've been gone on it. It's respectful dialogue back and forth between myself and the minister. Our role in Committee is to ask questions, to try to figure out and get a good piece of legislation. It's as simple as that. I made the reference, earlier, it would be nice to change the terminology from remains to deceased person, it just sounds better.

So I don't know where the Minister of Justice and Public Safety gets his adversarial responses from and quotes me as saying I said something. I repeat because the minister may have not been listening. I think the Minister of Health heard me. I don't think the Minister of Justice and Public Safety heard me.

I was told – and I'll say it slow because sometimes the other side, they'll say it to us, they'll say it slow for us, I'm going to say it slow for the Minister of Justice and Public Safety: I was told by a funeral home operator in my district that their father, who was very closely associated, said, when they pass away please don't let me go to the Medical Examiner's office because I go there on a daily basis and I see the way the office is understaffed, the spacing is bad. I don't want to be left down there.

I never said that, Chair. The MHA for CBS never said that. It was an individual I'm quoting as saying that said that. I have no reason whatsoever to call that person a liar; I am not going to start right now. It just brings emphasis to the situation of the magnitude of the problem we're dealing with.

Whether they were there a week, I don't care how long they're there, my question comes back to when this legislation goes through – and if someone can tell me differently, I'm fine – will we no longer need those coolers in the basement of the Health Sciences Centre after this legislation goes through?

If the answer to that is no, well, okay, we've got a good piece of legislation. If the answer to that is yes and we're still going to have 25 or 30 deceased persons, I think we still have a problem.

Thank you.

SOME HON. MEMBERS: Hear, hear!

CHAIR: Any further questions?

The hon. the Minister of Health and Community Services.

J. HOGAN: Thank you, Speaker.

Maybe this is going to be the final word in Committee; I hope so. Thank you for the support in raising awareness to this issue. I understand the Member's issues with the freezers, but just to reiterate that there are renovations being done at the morgue at the Chief Medical Examiner's office or area. Office is a strange word to call a morgue, but it is for him, I guess.

Thank you.

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

J. DINN: Thank you, Chair.

With regard to the investigation, is it anticipated that more staff will be hired to do the investigations, to track down who owns the remains in order to meet the timeline? I'm just wondering is it anticipated to have more staff to make sure that it's done as expeditiously as possible?

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

J. HOGAN: So they are currently doing investigations. This doesn't change that. It just gives them the authority to address the situation if their investigations aren't fruitful.

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

J. DINN: So, right now, if I'm hearing the minister correctly, the investigation piece is not what's slowing this down at all.

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

J. HOGAN: I'm not sure what part he's talking about when he says slowing it down.

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

J. DINN: Thank you, Chair.

The whole idea is to be able to dispose of the bodies. That's what, I guess, this is trying to address. But in the process of doing the investigation, trying to track down families, so on and so forth, that's not been the issue.

As I understand it, the process is 14 days or so to track down and try to find out where the family is. It's not a case of manpower, but as to, more or less, what to do with the bodies once it has been determined that there's no family.

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

J. HOGAN: Yeah, I think that's a fair statement and I think that the prescriptive process set out in the regulations will allow NLHS staff who are currently doing the investigations to perhaps speed that up.

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

J. DINN: A question for the Minister of Children, Seniors and Social Development.

As I understand it here, the minister has the authority to direct a cemetery owner to provide interment for unclaimed remains at a rate set by the minister. So everything is done, more or less, to track down the family of this person.

Let's say after that person has been interred, family does show up, for whatever reason, and their financial means are such that they really don't have the opportunity to have that funeral or wake or so on and so forth. Is there funding for them if they want to have that other aspect of a dignified farewell to their loved ones, after the fact?

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

P. PIKE: Yes, I think I may understand your question, but in the last two years we've done over 700 funerals.

Based upon the new rates, the cost of these funerals certainly has escalated so we're looking at, say, \$6,500. That would include additional expenses, \$6,500. Then there's the transportation costs that are in on that as well. For example, if you have to transport a body 400 kilometres, you've got to double that so that's another \$1,000.

Basically, CSSD would work with the family though this whole process because the remains are identified so we know and we're working direct. There's no cost to the family. Once the funeral is done, we pay the funeral homes direct. It's a bad time for these families and we want to make sure that they have no financial burden at all.

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

J. DINN: No, and I appreciate that. What I'm asking is, the body has been interred, you couldn't find the family so the body has been disposed of in a respectful manner and buried. As far as the health authority is concerned, the body is still unclaimed. There was no one that claimed the body, we don't know who the family is, but family members come by: Look, do you know what? We wouldn't mind having something made through the funeral home hosting a sort of a wake, after the fact.

They haven't gone through you, but now they're realizing, oh my God, that's Uncle John. Maybe they're on income support or they're financially strapped. I'm just curious, other than saying, too late, you missed out. The deadline is passed. He is in the ground, adios.

I'm just trying to get an idea. That's not necessarily to do with this act, but I'm just

trying to think in terms of, it's one thing to bury the person, another thing to have that farewell, if that makes sense.

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

J. HOGAN: So make note at first that they are originally buried in a respectful way and that's taken place. If somebody comes forward afterwards, obviously then NLHS has done what was supposed to do under the authority that it has. If maybe that funding would have been available, had someone come forward – I'm speaking on behalf of CSSD – I'm sure we can look at some sort of process but this bill doesn't deal with funding. This bill is just dealing with the authority of unclaimed remains.

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

J. DINN: I appreciate that. I'm in no way trying to suggest that the burial would be undignified. I'm assuming that it would be treated with all due respect.

I guess, if the person has died, let's say an income support recipient since it's determined by the income of the person, I'm just thinking if the family comes by after the fact, is there a way that – and this is not anticipated by the bill but would this be something that, after the fact, there's no funeral to be had because the person has been buried, but there is a grieving process that might require funding.

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

P. PIKE: If the person was on income support – you don't necessarily have to be on income support. We can determine that the deceased was low income or the family can't afford the funeral. There's an application process that you go through. Once that application process is done, then we would cover the full burial costs, which

we would pay direct and that would be the end of it as far as we're concerned.

Now there could be cases that that happens, but I'm not aware of any.

J. DINN: Thank you, Minister.

CHAIR: No further questions?

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 21 inclusive.

CHAIR: Shall clauses 2 through 21 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: Carried.

On motion, clauses 2 through 21 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: Against?

Carried.

On motion, enacting clause carried.

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

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: Against?

The title is carried.

On motion, title carried.

CHAIR: Shall I report Bill 85 carried without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: Against?

Carried.

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

CHAIR: The hon. the Deputy Government House Leader.

L. DEMPSTER: Thank you, Chair.

I move that the Committee rise and report Bill 85 carried without amendment, seconded by the Minister of Health and Community Services.

CHAIR: It's been moved and seconded that the Committee do rise and report Bill 85 carried without amendment.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Thank you.

On motion, that the Committee rise, report 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 referred to them and have directed me to report that Bill 85, An Act to Amend the Provincial Health Authority Act and the Fatalities Investigations Act, has been carried without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directed that Bill 85 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 move, seconded by the Minister of Municipal and Provincial Affairs, that this House do now stand in recess until 7 p.m.

SPEAKER: This House do stand recessed until 7 p.m.