

Monday, December 5th, 2005

The House met at 1:30 o'clock in the afternoon pursuant to adjournment.

The Opposition House Leader (Mr. Parsons) gave notice that he would raise a point of privilege tomorrow relating to alleged partisan political activity on the part of the Honourable the Speaker.

By leave, the Honourable the Premier and Member for Humber West (Mr. Williams) made a Statement to congratulate Mr. Paul Boland of Curling on being selected Rhodes Scholar for the Province.

The Member for Grand Bank (Ms. Foote) made a Statement to congratulate a group of students from the St. Lawrence Allied Youth Post #989 who received the award for the "most spirited post" at the Allied Youth International conference in Tatamagouche, Nova Scotia. The group included: Jordan Rennie, Nicholas Giovannini, Dawn Benteau, Laura Pittman, Cassandra Turpin, Alison Dunphy, Juliette Dupre, Deanne Slaney along with their teacher Angela Rose.

The Member for Burgeo & La Poile (Mr. Parsons) made a Statement to congratulate Mr. Roy Sheaves of Port aux Basques who was awarded the International Association of Lions Clubs Melvin Jones Fellowship.

The Member for St. John's West (Ms. Osborne) made a Statement to congratulate her father, Mr. Jim Ridgley, on his 95th birthday.

The Member for Port de Grave (Mr. Butler) made a Statement to congratulate the Bay Arena and Ms. Joyce Morgan for introducing Active Living, a promotional fitness program for healthy living.

The Member for Bonavista North (Mr. Harding) made a Statement to congratulate the 840 Indian Bay Lions Royal Canadian Air Cadet Squadron which was awarded the Robert Arklie Best ACR Drill Team Award.

The Honourable the Minister of Human Resources, Labour & Employment (Mr. Shelley) made a Statement to inform the House that December 3rd was the United Nations International Day of Persons with Disabilities.

Pursuant to Standing Order 63(3), the Opposition House Leader (Mr. Parsons) gave notice that the Resolution standing in the name of the Member for Cartwright - L'Anse au Clair (Ms. Jones) would be debated on Private Members' Day on Wednesday.

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The Member for Burin - Placentia West (Mr. Jackman) presented a Petition calling on the House to urge Government to support the establishment of a kidney dialysis unit on the Burin Peninsula.

By leave, pursuant to Section 75(1) of the *Child, Youth and Family Services Act* the Honourable the Minister of Health and Community Services (Mr. Ottenheimer) tabled the Report of the Minister's Advisory Committee on the operations of the *Child, Youth and Family Services Act*.

Pursuant to order and on motion debate continued on the Address in Reply to the Speech from the Throne.

On motion debate was adjourned for further debate on tomorrow.

Pursuant to order and on motion debate commenced on the following Resolution

“WHEREAS in accordance with section 3 of the *Citizens' Representative Act*, the Lieutenant Governor in Council, on a Resolution of this House of Assembly, by Order in Council dated December 14, 2001, appointed Fraser March to the office of Citizens' Representative;

AND WHEREAS the Citizens' Representative, Fraser March, has, in accordance with subsection 7(1) of the *Citizens' Representative Act* been suspended as the Citizens' Representative;

AND WHEREAS section 6 of the *Citizens' Representative Act* provides that the Lieutenant Governor in Council may, on a Resolution of this House of Assembly, for cause remove the Citizens' Representative from office;

AND WHEREAS there is cause to remove Fraser March from the office of Citizens' Representative;

THEREFORE BE IT RESOLVED by this House of Assembly that Fraser March be removed from the office of Citizens' Representative”.

During the debate, the Member for Grand Bank (Ms. Foote) moved the following amendment:

“That the motion be amended by deleting all the words after the word “That” and substituting the following therefor:

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“Fraser March be given an opportunity to state his case to the House of Assembly before a vote is taken regarding his removal from the Office of the Citizens’ Representative.”

The Speaker (Mr. Hodder) recessed the House to consider the amendment at 2:35 o’clock in the afternoon..

The Speaker resumed the Chair at 2:55 o’clock in the afternoon.

The Speaker ruled the amendment in order.

The Member for Burgeo & LaPoile (Mr. Parsons) made a statement that he would not partake in the debate on the Resolution and that he had recused himself from the deliberation of this matter when it was discussed at meetings of the Commission of Internal Economy.

Pursuant to order and on motion debate continued on the amendment to the Resolution and on motion debate adjourned for further debate on tomorrow.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) raised a point of order respecting the process being followed in the matter to which the Resolution relates.

The Speaker took the matter under advisement.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, “An Act To Amend The Tobacco Health Care Costs Recovery Act” (Bill No. 66) and on motion it was ordered that Bill No. 66 be read a second time presently.

Pursuant to order and on motion the Bill entitled, “An Act To Amend The Tobacco Health Care Costs Recovery Act” (Bill No. 66) was read a second time and on motion it was ordered that Bill No. 66 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, “An Act To Amend The Public Service Commission Act” (Bill No. 67) and on motion it was ordered that Bill No. 67 be read a second time presently.

Pursuant to order and on motion the Bill entitled, “An Act To Amend The Public Service Commission Act” (Bill No. 67) was read a second time and on motion it was ordered that Bill No. 67 be referred to a Committee of the Whole House presently.

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Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Fish Inspection Act" (Bill No. 72) and on motion it was ordered that Bill No. 72 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Fish Inspection Act" (Bill No. 72) was read a second time and on motion it was ordered that Bill No. 72 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Memorial University Pensions Act" (Bill No. 63) and on motion it was ordered that Bill No. 63 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Memorial University Pensions Act" (Bill No. 63) was read a second time and on motion it was ordered that Bill No. 63 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate commenced on Second Reading of a Bill entitled, "An Act To Amend The Order Of Newfoundland And Labrador Act" (Bill No. 70) and on motion debate was adjourned for further debate presently.

The Honourable the Government House Leader (Mr. Ed Byrne) gave notice that he would on tomorrow move pursuant to Standing Order 11 that the House not adjourn at 5:30 o'clock in the afternoon and that the House not adjourn at 10 o'clock in the evening on Tuesday, December 6th, 2005.

Pursuant to Standing Order 9, the Speaker left the Chair at 5:20 o'clock in the afternoon for the dinner break.

The Speaker resumed the Chair at 7:00 o'clock in the evening.

Pursuant to order and on motion debate continued and concluded on Second Reading of the Bill entitled, "An Act To Amend The Order Of Newfoundland And Labrador Act" (Bill No. 70) and on motion it was ordered that Bill No. 70 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Order Of Newfoundland And Labrador Act" (Bill No. 70) was read a second time and on motion it was ordered that Bill No. 70 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Highway Traffic Act" (Bill No. 61) and

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on motion it was ordered that Bill No. 61 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Highway Traffic Act" (Bill No. 61) was read a second time and on motion it was ordered that Bill No. 61 be referred to a Committee of the Whole House presently.

On motion of the Honourable the Government House Leader (Mr. Ed Byrne) the House resolved itself into a Committee of the Whole House.

The Speaker left the Chair.

Mr. Fitzgerald took the Chair of the Committee of the Whole House.

The Committee considered and passed the Bill entitled, "An Act To Amend The Tobacco Health Care Costs Recovery Act" (Bill No. 66).

The Committee considered and passed the Bill entitled, "An Act To Amend The Public Service Commission Act" (Bill No. 67).

The Committee considered and passed the Bill entitled, "An Act To Amend The Fish Inspection Act" (Bill No. 72).

The Committee considered and passed the Bill entitled, "An Act To Amend The Order Of Newfoundland And Labrador Act" (Bill No. 70).

The Committee considered and passed the Bill entitled, "An Act To Amend The Pippy Park Commission Act" (Bill No. 42).

The Committee considered and passed the Bill entitled, "An Act To Amend The Highway Traffic Act" (Bill No. 61).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee of the Whole House (Mr. Fitzgerald) reported that the Committee of the Whole House had considered the matters to it referred, had made some progress, had passed the following Bills without amendment and asked leave to sit again:

A Bill, "An Act To Amend The Tobacco Health Care Costs Recovery Act" (Bill No. 66);

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A Bill, "An Act To Amend The Public Service Commission Act" (Bill No. 67);

A Bill,

"An
Act To
Amend
The
Fish
Inspection
Act"
(Bill
No.
72);

A Bill, "An Act To Amend The Order Of Newfoundland And Labrador Act" (Bill No. 70);

A Bill, "An Act To Amend The Pippy Park Commission Act" (Bill No. 42);

A Bill, "An Act To Amend The Highway Traffic Act" (Bill No. 61).

On motion the report of the Committee of the Whole House was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

On motion it was ordered that Bills No. 67, 72, 70, 42 and 61 be read a third time presently by leave.

On motion the report of the Committee of the Whole House was received and adopted and on motion it was ordered that the Committee of the Whole House have leave to sit again on tomorrow.

Pursuant to order and on motion the following Bills were read a third time and passed by leave:

A Bill, "An Act To Amend The Public Service Commission Act" (Bill No. 67);

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A Bill,

“An
Act To
Amend
The
Fish
Inspection
Act”
(Bill
No.
72);

A Bill, “An Act To Amend The Pippy Park Commission Act” (Bill No. 42);

A Bill, “An Act To Amend The Highway Traffic Act” (Bill No. 61).

On motion it was ordered that the said Bills be printed being entitled as above and that they be submitted to His Honour the Lieutenant Governor for His Assent.

On motion it was ordered that Bill No. 66 be read a third time on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Third Reading of the Bill entitled, “An Act To Amend The Order Of Newfoundland And Labrador Act” (Bill No. 70).

Pursuant to order and on motion it was ordered that the Bill entitled, “An Act To Amend The Order Of Newfoundland And Labrador Act” (Bill No. 70) be now read a third time.

The Speaker put the question on the motion.
The House divided.

There appeared in favour of the motion: Mr. Williams; Mr. Edward Byrne; Mr. Rideout; Mr. Ottenheimer; Mr. Taylor; Mr. Tom Marshall; Mr. Hedderson; Mr. Sullivan; Mr. Shelley; Mr. O'Brien; Ms. Burke; Mr. Jim Hodder; Mr. Wiseman; Mr. Denine; Mr. French; Mr. Harding; Mr. Young; Mr. Hunter; Mr. Jackman; Ms. Johnson; Mr. Ridgley; Mr. Skinner; Mr. Forsey.

Against: Mr. Reid; Mr. Parsons; Mr. Barrett; Mr. Langdon; Ms. Jones; Ms. Thistle;

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Ms. Foote; Mr. Harris.

The Speaker declared the motion carried.

On motion the Bill entitled, “An Act To Amend The Order Of Newfoundland And Labrador Act” (Bill No. 70) was read a third time and passed. On motion it was ordered that Bill No. 70 be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, December 6th at 1:30 o'clock in the afternoon.

On motion the House then adjourned at 9:35 o'clock in the evening.

A. John Noel, Q.C.,
Clerk of the House of Assembly.