

Monday, March 29th, 2004

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

The Honourable the Speaker (Mr. Hodder) ruled on a point of order raised on March 25th by the Opposition House Leader (Mr. Parsons) concerning the procedure surrounding an intervention made by the Committee Chair when a Member had the floor asking questions of a Minister. The Speaker ruled there was no point of order but the Speaker took the opportunity to review and confirm the rules and customs of the House with respect to the circumstance as noted by the Leader of the Opposition (Mr. Grimes) and the Minister of Transportation, Works and Aboriginal Affairs (Mr. Rideout) when Members ask questions of Ministers in Committee of the Whole.

The Member for Carbonear-Harbour Grace (Mr. Sweeney) made a Statement to congratulate a constituent, Mr. David Regular of Harbour Grace, on being elected as the only director for Atlantic Canada Region to the newly formed board of directors of the National Youth Talent Contest.

The Member for St. John's Centre (Mr. Skinner) made a Statement to congratulate Mr. Cody McLean on his participation in the Canadian National Taekwon Do Championships in Ontario and on his being awarded a scholarship and the Self-Esteem Award at Holy Cross School.

The Member for Bay of Islands (Mr. Joyce) made a Statement to extend congratulations to the organizers, athletes, coaches and families who participated in the Canadian National Disabled Skiers Family Fun Festival held recently at Marble Mountain. The Member also recognized Ms. Margaret Tibbo who was awarded the Carl Hilzinger Award her outstanding contribution in developing skiing for people with disabilities.

The Member for Mount Pearl (Mr. Denine) made a Statement to recognize the tremendous contribution to the community by the Mount Pearl Seniors Independence Group and the Mount Pearl 50+ Club Members.

The Member for Torngat Mountains (Mr. Andersen) made a Statement to recognize the 26th Annual Labrador Heritage Dog Team Race held recently in the Community of Rigolet. The Member congratulated Mr. Kenny Pottle on winning the event.

The Member for Bonavista South (Mr. Fitzgerald) made a Statement to recognize Tourism Elliston on being awarded the prestigious Doug Wheeler Award for its contribution to tourism especially the town's promotion as the root cellar capital of the world.

Monday, March 29th, 2004

The Honourable the Minister of Health and Community Services (Ms. Marshall) made a Statement to advise the House of an important provincial pilot project entitled "Clear the Air - It's Ours to Share, Smoke Free Spaces" which will address the issue of youth and the harmful effects of second hand smoke. The Member stated that the project is a joint one with Health Canada, the Department of Education and her department.

The Honourable the Minister of Government Services (Ms. Whalen) made a Statement to update Members on the measures taken by her officials to enforce highway safety in the Province, in particular the operation of trucks on the highways.

The Honourable the Minister of Finance & President of Treasury Board (Mr. Sullivan) gave notice that he would on tomorrow move that the House Resolve itself into a Committee of the Whole to Consider certain Resolutions relating to the Granting of Supplementary Supply to Her Majesty (Bill No. 12).

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) tabled the following:

- (a) the 2002-03 Annual Report of the Atlantic Lottery Corporation and the audited financial statements for the year ended March 31, 2003;
- (b) the 2002-03 Annual Report of the C.A. Pippy Park Commission and the audited financial statements for the year ended March 31, 2003; and
- (c) the 2003 Annual Report of the Newfoundland and Labrador Municipal Financing Corporation and the audited financial statements for the year ended March 31, 2003.

The Member for Cartwright-L'Anse au Clair (Ms. Jones) presented a Petition on behalf of certain residents of her District requesting the Government of Newfoundland and Labrador to commence the building of a road connecting the Trans Labrador Highway with Williams Harbour in 2004.

The Member for Fortune Bay-Cape La Hune (Mr. Langdon) presented a Petition on behalf of certain residents of his District requesting the Government to improve and expand the Bay D'Espoir Medical Clinic located in St. Albans without any further delay.

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

Monday, March 29th, 2004

The Speaker left the Chair.

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

The Committee of the Whole House considered a Bill entitled, An Act To Amend The Student Financial Assistance Act (Bill No. 1).

The Member for Grand Falls-Buchans (Ms. Thistle) moved an amendment to clause 11 of Bill No. 1.

After some debate, the Chairperson put the question on the amendment and declared the amendment defeated.

The Committee passed clause 11.

The Honourable the Minister of Education (Mr. Ottenheimer) moved the following amendments to clause 16 of Bill No. 1:

1. That clause 16 of Bill No. 1 be amended by deleting the proposed section 17.1 and substituting the following:

17.1 The terms and conditions of a student loan assigned to the corporation on or before April 1, 2004 may, notwithstanding any term or condition of a student loan agreement applicable to that student loan, be established or varied in accordance with the regulations to facilitate administrative integration.

17.1.1 (1) Where the total amount required to be paid under the borrower's loans administered under the integration agreement has increased as a result of a change to the terms and conditions of those loans to facilitate administrative integration, the corporation shall upon repayment in full of those loans refund to the borrower the amount of the increase.

(2) Notwithstanding subsection 19.1(2), a borrower may take an action against the corporation to recover a refund under subsection (1).

17.1.2 In sections 17.1 and 17.1.1

(a) "administrative integration" means "administrative integration" as defined in the integration agreement; and

Monday, March 29th, 2004

- (b) "integration agreement" means the Canada-Newfoundland and Labrador Agreement for the Administrative Integration of the Canada Student Loans Program and the Newfoundland and Labrador Student Financial Assistance Program.

2. That clause 16 of Bill No. 1 be amended by deleting the words "to pay" from the proposed subsection 17.4(1).

3. That clause 16 of Bill No. 1 be amended by adding after the proposed subsection 17.4(3) the following as subsection (4) and by renumbering the remaining subsections:

(4) Where a student loan is assigned to the corporation by a lender, the corporation has the right to collect from the borrower of that student loan the total amount required to be paid by the borrower under the terms of the student loan agreement, as amended by this Act, notwithstanding a payment made by the Crown under an agreement with that lender.

4. That clause 16 of Bill No. 1 be amended by adding immediately after the word and brackets "(Canada)" in the proposed subsection 17.4(5) the words, comma and figures "or under the *Income Tax Act, 2000*".

After some debate the Chairperson put the question on the amendments and declared the above noted amendments passed to clause 16 of Bill No. 1.

During the debate the Member for Signal Hill-Quidi Vidi (Mr. Harris) moved the following further amendment to clause 16:

That clause 16 be amended by adding to the end of proposed sub-clause 17.7(3) the words:

Unless the corporation so directs@.@

The Chairperson put the question on the amendment and declared the amendment passed.

The Committee passed clause 16 as amended.

Monday, March 29th, 2004

The Honourable the Minister of Education (Mr. Ottenheimer) moved the following amendment to clause 19 of the Bill:

That Clause 19 of Bill No. 1 be amended by deleting the number "30" and substituting the number "29".

The Chairperson put the question on the amendment to clause 19 and declared the amendment carried.

The Committee passed clause 19 as amended.

The Committee passed the Bill entitled, An Act To Amend The Student Financial Assistance Act@ (Bill No. 1) with amendments.

On motion the Committee rose.

The Speaker (Mr. Hodder) resumed the Chair.

The Chairperson of the Committee of the Whole House (Mr. Fitzgerald) reported that the Committee of the Whole had considered the matters to it referred, had passed the Bill entitled, "An Act To Amend The Student Financial Assistance Act" (Bill No. 1) with amendments and asked leave to sit again on tomorrow.

The amendments to Bill No. 1 having been read a first and second time upon motion the report of the Committee 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 Bill entitled, An Act To Amend The Student Financial Assistance Act@ (Bill No. 1) was read a third time and passed.

On motion it was ordered that Bill No. 1 be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) informed the House that he had received a Message from His Honour the Lieutenant Governor.

Monday, March 29th, 2004

The Message was read to the House by the Speaker as follows:

▲March 29, 2004

As Lieutenant Governor of the Province of Newfoundland and Labrador, I transmit Estimates of sums required for the Public Service of the Province for the year ending March 31, 2004, by way of Supplementary Supply, and in accordance with the provisions of sections 54 and 90 of the *Constitution Act, 1867*, I recommend these Estimates to the House of Assembly.

Sgd. **Edward Roberts**
Lieutenant Governor.

By leave of the House and on motion of the Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan), the House resolved itself into a Committee of the Whole on Supply to consider a certain Resolution and Bill No. 12 for the granting of Supplementary Supply To Her Majesty.

The Speaker left the Chair.

Mr. Fitzgerald took the Chair of Committee of the Whole on Supply.

The Committee of the Whole on Supply considered and passed a certain Resolution and a Bill entitled, An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 2004 And For Other Purposes Relating To The Public Service (Bill No. 12).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee (Mr. Fitzgerald) reported that the Committee of the Whole on Supply had considered the matters to it referred and had passed a certain Resolution and a Bill consequent thereto and recommended that Bill No. 12 be introduced to give effect to the Resolution.

Monday, March 29th, 2004

Pursuant to order and on motion the following Resolution was read a first and second time:

That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain additional expenses of the public service for the financial year ending March 31, 2004, the sum of \$1,400,000" (Resolution of Bill No. 12).

Pursuant to order and on motion a Bill entitled, AAn Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 2004 And For Other Purposes Relating To The Public Service[©] (Bill No. 12) was read a first, second and third time and passed.

On motion it was ordered that Bill No. 12 be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

The Sergeant-at-Arms announced the arrival of His Honour the Lieutenant Governor.

His Honour the Lieutenant Governor the Honourable Edward Roberts, Q.C. took the Chair.

The Speaker addressed His Honour as follows:

"It is my agreeable duty on behalf of Her Majesty's dutiful and loyal subjects, Her Faithful Commons in Newfoundland and Labrador, to present to Your Honour a Bill for the appropriation of Supplementary Supply granted in the present Session."

Whereupon the Clerk read the following Bill:

A Bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 2004 And For Other Purposes Relating To The Public Service (Bill No. 12).

His Honour the Lieutenant Governor then said, "In Her Majesty's Name, I thank Her Loyal Subjects, I accept their benevolence, and I Assent to this Bill".

Monday, March 29th, 2004

The Speaker further addressed His Honour as follows:

May it please Your Honour, the General Assembly of the Province has at its present Session passed a certain Bill, to which, in the name and on behalf of the General Assembly, I respectfully request Your Honour's Assent.

Whereupon the Clerk read the following Bill:

A Bill, An Act To Amend The Student Financial Assistance Act@ (Bill No. 1).

His Honour the Lieutenant Governor then said, "In Her Majesty's Name I Assent to this Bill".

His Honour the Lieutenant Governor then left the Chamber.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, March 30th at 2:00 o'clock in the afternoon.

On motion the House then adjourned accordingly.

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