

Thursday, May 13th, 2004

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

The Leader of the Opposition (Mr. Grimes) rose on a point of order relating to the estimates of the new Department of Business stating that the Premier who is the Minister responsible for the new Department would not be in attendance. The Leader of the Opposition asked the question what would be the status of the Resource Committee if the Opposition Members on that Committee were not in attendance.

The Speaker took the matter under advisement.

The Member for Burin-Placentia West (Mr. Jackman) made a Statement to welcome to the Public Galleries students from Marystown Central High School. The Member mentioned that the students represented two groups in the school namely: those students attending the Techsploration Event and a group from the Exceptionally Abled Program.

The Member for Grand Falls-Buchans (Ms. Thistle) made a Statement to congratulate Yuri Gidge, a student of Exploits Valley High School in Grand Falls-Windsor as one of eight students in the Province for his recent accomplishment in francophone public speaking, his right to compete in the National Speak-off in Edmonton on May 29th and also to be part of a group who will attend the Franco-Forum summer camp in St. Pierre this year.

The Member for Mount Pearl (Mr. Denine) made a Statement to congratulate the participants and winners of the public speaking activity held at St. Peter's Elementary School in Mount Pearl. The Member specifically mentioned the winners and runners-up.

The Member for St. John's North (Mr. Ridgley) made a Statement to recommend that Members and the public attend the Prince of Wales Collegiate Production of *Les Miserables* at the Mount Pearl Glacier and to support the students in this ambitious effort which was unfortunately postponed because of the recent labour dispute.

The Member for Placentia & St. Mary's (Mr. Manning) made a Statement to congratulate and recognize Mrs. Eva Coffey of Angel's Cove, Placentia Bay for her effort as a volunteer during the past five decades. The Member noted that Mrs. Coffey had been recently recognized by the Community Services Council at the Fairmont Hotel for her years of volunteerism.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Jack Byrne) made a Statement to announce that the tenders for municipal capital works projects for 2004 were projected to exceed \$100 million.

Thursday, May 13th, 2004

The Honourable the Minister of Natural Resources (Mr. Edward Byrne) made a Statement to advise Members and people of the Province with respect to the progress of the White Rose oil project at Bull Arm fabrication facility.

The Opposition House Leader (Mr. Parsons) rose on a point of order with respect to the use of certain language in an answer given by the Minister of Environment and Conservation (Mr. Osborne) during Oral Questions.

The Speaker took the matter under advisement.

The Leader of the Opposition (Mr. Grimes) rose to establish a *prima facie* case of privilege by alleging his ability to conduct his duties in seeking information from Government had been hampered by a minister who stated that certain budgetary information released by the Clerk of the Executive Council was incorrect. The Leader of the Opposition asked the Minister of Environment and Conservation (Mr. Osborne) to apologize to the House for misleading the House.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) and the Member for Twillingate & Fogo (Mr. Reid) also spoke to the issue of the Minister challenging the accuracy of the documents sent by the Executive Council Office to the Opposition Members.

The Speaker took the matter under advisement.

The Honourable the Minister of Natural Resources (Mr. Edward Byrne) tabled the 2003 Annual Report and audited financial statements of Newfoundland and Labrador Hydro for the fiscal year ended December 31st, 2003.

The Member for Burgeo and LaPoile (Mr. Parsons) gave notice that he would on tomorrow move the following Resolution:

WHEREAS there is an impending Federal Election and many Federal-Provincial issues need attention;

AND WHEREAS this province should be the principle beneficiary of offshore resource revenue;

AND WHEREAS there is a need for improvements to the equalization program;

AND WHEREAS health and post secondary funding from the Federal Government should be increased;

Thursday, May 13th, 2004

AND WHEREAS there is a need for improvements in the EI system;

AND WHEREAS the economy of this province is suffering because the Federal Government is not willing to take custodial management over the stocks off our coast;

AND WHEREAS the joint management of the fishery is an important issue for the future of this province;

AND WHEREAS there is a role for the Federal Government to play in the development of the Lower Churchill;

AND WHEREAS there should be an increased Federal presence in the province;

AND WHEREAS there should be continued operation and marketing of 5 Wing Goose Bay;

THEREFORE BE IT RESOLVED that this House of Assembly supports the establishment of an all party committee of this House to draft a policy document for presentation and endorsement by all candidates in this province and the party leaders in the upcoming Federal Election.

The Member for Placentia & St. Mary's (Mr. Manning) presented a Petition on behalf of certain citizens of the St. Mary's Bay Area to draw the attention of the Government to the lack of a safe mode of transportation in the Riverhead-St. Mary's Area and to request the Government to put in place a plan to address the current serious situation.

The Member for Cartwright-L'Anse au Clair (Ms. Jones) presented a petition on behalf of residents of Southern Labrador and travellers generally to the region requesting access to the most effective mode of transportation between Happy Valley-Goose Bay and Cartwright through an increased number of trips of the Sir Robert Bond during the 2004 operating season.

The Member for Carbonear - Harbour Grace (Mr. Sweeney) presented a Petition on behalf of certain residents of his District urging the Avalon West School Board to reverse the decision by that Board to close St. Joseph's School and to reverse the decision to bus students to Harbour Grace and commit funds to construct a new school in Carbonear.

Thursday, May 13th, 2004

The Member for Trinity-Bay de Verde (Ms. Johnson) presented a Petition on behalf of certain residents of her District calling on the Government to protect the residents and future generations by taking the following action, namely: by conducting a full inquiry into the deposal of PCB contaminated transformers at the New Harbour dumpsite; by sealing off the affected area; by testing the contamination; and by informing the residents of health risks to which they may have been exposed.

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

The Speaker left the Chair.

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

The Committee considered a certain Resolution and a Bill entitled, "An Act to Amend the Local Authority Guarantee Act, 1957" (Bill No. 15).

During the debate the Government House Leader (Mr. Byrne) gave notice and by leave moved that the Member for Labrador West (Mr. Collins) replace the Member for Cartwright-L'Anse au Clair (Ms. Jones) on the Social Services Committee.

The Chair of the Committee of the Whole put the question on the motion and declared the motion carried.

Debate continued on the Resolution and Bill No. 15.

The Committee passed a certain Resolution and a Bill entitled, "An Act to Amend the Local Authority Guarantee Act, 1957" (Bill No. 15).

On motion the Committee rose.

The Speaker (Mr. Hodder) resumed the Chair.

The Chairperson of the Committee of the Whole (Mr. Fitzgerald) reported that the Committee had considered the matters to it referred and had passed a certain Resolution and a Bill consequent thereto and recommended that Bill No. 15 be introduced to give effect to the Resolution.

The Chairperson of the Committee of the Whole House further reported that the Committee of the Whole House asked leave to sit again on tomorrow.

Thursday, May 13th, 2004

On motion the report of the Committee was received and adopted.

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

That it is expedient to bring in a measure further to amend *The Local Authority Guarantee Act, 1957*, to provide for the guarantee of the repayment of loans made to, and the advance of loans to certain local authorities.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Local Authority Guarantee Act, 1957" (Bill No. 15) was read a first, second and third time and passed.

On motion it was ordered that Bill No. 15 be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

The Speaker ruled on a point of order raised earlier by the Leader of the Opposition (Mr. Grimes). The Speaker ruled there was no point of order. Quoting Marleau and Montpetit at P. 736, he stated that committees considering estimates may invite witnesses to appear; these typically include the minister, department or agency officials and interested individuals and groups. While the presence of a minister is considered customary, such attendance is not mandatory. There was no point of order because the naming and calling of witnesses to an estimates committee is a decision of the committee.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Fire Prevention Act, 1991 (Bill No. 6) and on motion it was ordered that Bill No. 6 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Fire Prevention Act, 1991 (Bill No. 6) was read a second time and on motion it was ordered that Bill No. 6 be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Municipal Affairs Act (Bill No. 8) and on motion it was ordered that Bill No. 8 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Municipal Affairs Act (Bill No. 8) was read a second time and on motion it was ordered that Bill No. 8 be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second

Thursday, May 13th, 2004

Reading of a Bill entitled, An Act To Amend The Emergency Measures Act (Bill No. 5) and on motion it was ordered that Bill No. 5 be read a second time presently.

Pursuant to order and on motion the Bill entitled, An Act To Amend The Emergency Measures Act (Bill No. 5) was read a second time and on motion it was ordered that Bill No. 5 be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, An Act To Amend The Financial Administration Act (Bill No. 16) and on motion it was ordered that Bill No. 16 be read a second time presently.

Pursuant to order and on motion the Bill entitled, An Act To Amend The Financial Administration Act (Bill No. 16) was read a second time and on motion it was ordered that Bill No. 16 be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, An Act To Amend The Income Tax Act, 2000 (Bill No. 7) and on motion it was ordered that Bill No. 7 be read a second time presently.

Pursuant to order and on motion the Bill entitled, An Act To Amend The Income Tax Act, 2000 (Bill No. 7) was read a second time and on motion it was ordered that Bill No. 7 be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, An Act To Revise The Law About The Practice Of Optometry (Bill No. 9) and on motion it was ordered that Bill No. 9 be read a second time presently.

Pursuant to order and on motion the Bill entitled, An Act To Revise The Law About The Practice Of Optometry (Bill No. 9) was read a second time and on motion it was ordered that Bill No. 9 be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, An Act To Incorporate The Newfoundland And Labrador Centre For Health Information (Bill No. 17) and on motion it was ordered that Bill No. 17 be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion the Bill entitled, An Act To Incorporate The Newfoundland And Labrador Centre For Health Information (Bill No. 17) was read a second time and on motion it was ordered that Bill No. 17 be referred to a Committee of the Whole House on tomorrow.

It was moved and seconded that when the House rose it would adjourn until

Thursday, May 13th, 2004

tomorrow, Monday, May 17th at 1:30 o'clock in the afternoon.

On motion the House then adjourned accordingly.

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