

Monday, May 17th, 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 by the Opposition House Leader (Mr. Parsons) on May 13th. The Speaker ruled there was no point of order because the word hypocritical used by the Honourable the Minister of Environment and Conservation (Mr. Osborne) applied to a question in the debate and not to a Member.

The Member for Cartwright-L'Anse au Clair (Ms. Jones) rose to establish a *prima facie* case by alleging that her privileges as a Member had been breached because the Minister of Tourism, Culture and Recreation (Mr. Shelley) had accused her of misleading the public. The Member stated that she had quoted information given to her under the *Freedom of Information Act* by the Executive Council Office.

The Opposition House Leader (Mr. Parsons) spoke to the issue and concluded that the issue was one and the same as the matter raised last week by the Leader of the Opposition (Mr. Grimes).

The Speaker took the matter under advisement along with the same issue raised on Thursday, May 13th, 2004.

The Member for Port de Grave (Mr. Butler) made a Statement to congratulate the Church Lads Brigade (or CLB) of Bay Roberts on their 90th anniversary of incorporation in Newfoundland and Labrador and to recognize the volunteers involved in the successful operation of the organization.

The Member for Gander (Mr. O'Brien) made a Statement to congratulate Mr. Brad Peyton a young film maker from Gander as one of the nominees in the documentary and short film category for the Genie Awards. The Member stated that Mr. Peyton's films had gained international praise at the Nodance Film Festival in Park City, Utah where he won the grand jury award for short film.

The Member for Grand Bank (Ms. Foote) made a Statement to recognize Colonel Tom Tarrant of St. Lawrence who had attained one of the highest ranks in the Canadian Armed Forces. He was recently appointed Colonel and is presently Director of Reserves in the Chief of Reserves and Cadets Division at National Defence Headquarters in Ottawa.

The Member for Burin-Placentia West (Mr. Jackman) made a Statement to congratulate Mrs. Amy Butler of Baine Harbour who will take part in the one kilometre Hip, Hip Hooray Fundraiser Walk around Quidi Vidi Lake in order to raise funds for orthopaedic surgery and research.

Monday, May 17th, 2004

The Member for Bonavista South (Mr. Fitzgerald) made a Statement to congratulate Ms. Sarah Fennell, a chemistry major and a native of Plate Cove West on being selected as Memorial University's Amazing Student of the Week.

The Honourable the Minister of Environment and Conservation (Mr. Osborne) made a Statement to commend the efforts of the St. John's Clean and Beautiful and its annual clean-up campaign - *Take Pride, Take Action*.

The Honourable the Minister of Education (Mr. Ottenheimer) made a Statement to recognize the opening of the Canada Wide Science Fair hosted by Memorial University. The Minister also congratulated the students representing the province who will be participating in the Science Fair.

The Honourable the Minister of Human Resources, Labour and Employment and the Minister Responsible for the Status of Women (Ms. Burke) made a Statement to advise Members of the recent opening of Hope Haven, a new shelter and resource facility for women and children escaping family abuse and violence in Labrador West.

The Member for Cartwright-L'Anse au Clair (Ms. Jones) rose on a point of order relating to an earlier statement made by the Minister of Transportation and Works and Acting Government House Leader (Mr. Rideout).

The Member for Cartwright-L'Anse au Clair accused the Minister of Transportation and Works (Mr. Rideout) of deliberately lying to the House.

The Speaker (Mr. Hodder) ruled that certain words spoken by the Member for Cartwright-L'Anse au Clair (Ms. Jones) were unparliamentary.

The Speaker asked the Member for Cartwright-L'Anse au Clair (Ms. Jones) if she would withdraw the words.

The Member for Cartwright-L'Anse au Clair refused to withdraw the words.

The Speaker asked the Member for Cartwright-L'Anse au Clair a second time to withdraw the words.

The Member for Cartwright-L'Anse au Clair refused to withdraw the words.

Monday, May 17th, 2004

The Speaker again asked the Member for Cartwright-L'Anse au Clair a third time to withdraw the words.

Again the Member for Cartwright-L'Anse au Clair refused, whereupon the Speaker named the Member for Cartwright-L'Anse au Clair, Ms. Jones, to withdraw from the Chamber.

In accordance with Standing Order 21, the Speaker ordered the Member to withdraw for the remainder of the sitting day.

The Leader of the Opposition (Mr. Grimes) rose on a point of order to allege that the Minister of Transportation and Works (Mr. Rideout) had misled the House with respect to his explanation of the activities of the Minister of Tourism, Culture and Recreation and his travel outside the province.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) and the Opposition House Leader (Mr. Parsons) also spoke to the point of order. The Honourable the Acting Government House Leader (Mr. Rideout) apologized to the House.

The Member for Bonavista South (Mr. Fitzgerald) gave notice that he would on tomorrow move the following Resolution:

WHEREAS the challenge of constructing and maintaining transportation infrastructure in Newfoundland and Labrador is enormous, given our difficult terrain and our relatively small population dispersed over a large area;

AND WHEREAS much of this province's existing transportation infrastructure has deteriorated in recent years as a consequence of insufficient funding;

AND WHEREAS the Constitution of Canada establishes the principle of equalization which directs governments in Canada to reduce the disparity of opportunities associated with the relatively poor fiscal capacity of a province;

AND WHEREAS the Government of Canada has entered into transportation agreements with this and other provinces whereby it has funded or cost-shared valuable infrastructure work;

Monday, May 17th, 2004

AND WHEREAS the 1988 fifteen-year Newfoundland [and Labrador] Transportation Initiative (also known as the Roads-for-Rail Agreement) has expired, leaving the province with significantly diminished funding in the face of an undiminished need;

AND WHEREAS proper transportation infrastructure is required to attract and complement investments that will create jobs and opportunities in our communities;

THEREFORE BE IT RESOLVED that this Honourable House call upon the Government of Canada to enter into a comprehensive transportation infrastructure agreement with the Government of Newfoundland and Labrador.

The Honourable the Acting Government House Leader (Mr. Rideout) announced that the Resolution standing in the name of the Member for Bonavista South (Mr. Fitzgerald) would be debated on Private Members' Day on Wednesday.

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.

The Member for Burgeo & LaPoile (Mr. Parsons) presented a Petition on behalf of certain residents of his District requesting the Government of Newfoundland and Labrador to reinstate weigh scale operations and rehire weigh scale operators in Port aux Basques, Foxtrap and other locations in order to protect the safety of Newfoundlanders and Labradorians.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, An Act To Amend The Survival Of Actions Act (Bill No. 11) and on motion it was ordered that Bill No. 11 be read a second time presently.

Pursuant to order and on motion the Bill entitled, An Act To Amend The Survival Of Actions Act (Bill No. 11) was read a second time and on motion it was ordered that Bill No. 11 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 Corporations Act (Bill No. 4) and on motion it was ordered that Bill No. 4 be read a second time presently.

Monday, May 17th, 2004

Pursuant to order and on motion the Bill entitled, An Act To Amend The Corporations Act (Bill No. 4) was read a second time and on motion it was ordered that Bill No. 4 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 Services Charges Act (Bill No. 10) and on motion it was ordered that Bill No. 10 be read a second time presently.

Pursuant to order and on motion the Bill entitled, An Act To Amend The Services Charges Act (Bill No. 10) was read a second time and on motion it was ordered that Bill No. 10 be referred to a Committee of the Whole House on tomorrow.

On motion of the Honourable the Acting Government House Leader (Mr. Rideout) 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 House.

The Committee of the Whole House considered and passed a Bill entitled, An Act To Amend The Fire Prevention Act, 1991" (Bill No. 6).

The Committee of the Whole House considered and passed a Bill entitled, An Act To Amend The Municipal Affairs Act" (Bill No. 8).

The Committee of the Whole House considered and passed a Bill entitled, An Act To Amend The Emergency Measures Act" (Bill No. 5).

The Committee of the Whole House considered and passed a Bill entitled, An Act To Amend The Financial Administration Act" (Bill No. 16).

The Committee of the Whole House considered The Bill entitled, An Act To Amend The Income Tax Act, 2000" (Bill No. 7) and on motion debate adjourned.

On motion the Committee rose.

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 passed the following Bills without amendment and asked leave to sit again:

A Bill, An Act To Amend The Fire Prevention Act, 1991" (Bill No. 6);

Monday, May 17th, 2004

A Bill, An Act To Amend The Municipal Affairs Act" (Bill No. 8);

A Bill, An Act To Amend The Emergency Measures Act" (Bill No. 5);

A Bill, An Act To Amend The Financial Administration Act" (Bill No. 16).

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

On motion it was ordered that Bills No. 6, 8, 5 and 16 be read a third time on tomorrow and the Committee of the Whole House have leave to sit again on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, May 18th 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.