

Monday, November 22<sup>nd</sup>, 2004

The House of Assembly met at 1:30 o'clock in the afternoon following the adjournment motion adopted on June 8<sup>th</sup>, 2004.

The Member for Burin-Placentia West (Mr. Jackman) made a Statement to commemorate the 75<sup>th</sup> Anniversary of the Tidal Wave Disaster on the Burin Peninsula in 1929.

The Member for Grand Falls-Buchans (Ms. Thistle) made a Statement to congratulate Ms. Michelle Critch of Badger for receiving a Gold Medal in Fuku-go at the World Karate Championships held in Switzerland on October 8, 2004.

The Member for Gander (Mr. O'Brien) made a Statement to congratulate the 103<sup>rd</sup> Search and Rescue Unit from the District of Gander on winning the Diamond Trophy for best overall performance at the National Search and Rescue Exercises competition held in Comox, B.C. and also on winning the Sullivan Trophy for Best Performance in Medical Exercises. The 103<sup>rd</sup> Unit was also recognized by the Parachute Association for best overall rescue performance.

The Member for Fortune Bay-Cape La Hune (Mr. Langdon) made a Statement to recognize Mr. Roy Giles, a native of Ramea who was recently honoured by the Canadian Coast Guard on being awarded the Humanitarian Medal by the Canadian Coast Guard Auxiliary on October 2<sup>nd</sup>, 2004.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) made a Statement to recognize the 5<sup>th</sup> Annual National Housing Day across Canada, an initiative endorsed by the Big City Mayors of the Federation of Municipalities to recognize homelessness as a national disaster. The Member congratulated the supportive community organizations namely: Stella Burry Community Services, Choice For Youth, the AIDS Committee of Newfoundland and Labrador and the St. John's Native Friendship Association.

The Member for Cartwright - L'Anse au Clair (Ms. Jones) made a Statement to congratulate Ms. Christy Groves of Forteau on receiving the Highest Achievement in Marketing Award presented through the Youth Ventures Program for her business efforts.

The Honourable the Minister of Human Resources, Labour and Employment (Ms. Burke) made a Statement to recognize November 22<sup>nd</sup> as National Housing Day and to recognize *Raising the Roof* as Canada's only national homelessness charity.

The Honourable the Minister of Health and Community Services (Mr. Ottenheimer) made a Statement to recognize November 20<sup>th</sup> as National Child Day held to celebrate the future and promise of the Province's children and youth. This year's international theme is *A World Fit for Children*.

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The Honourable the Minister of Government Services (Ms. Whalen) tabled the *Public Tender Act* Exception Reports for the months of May, June, July, August and September 2004.

The Honourable the Minister of Government Services (Ms. Whalen) also tabled the 2003-04 Annual Activity Letter for the Consumer Protection Fund for Prepaid Funeral Services, and audited financial statements for the year ended March 31, 2004.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan), in accordance with section 28(4) of the **Financial Administration Act**, tabled copies of the following Orders in Council relating to the following funding pre-commitments for the following fiscal years:

- (a) Order in Council 2004-434 authorized the Department of Innovation, Trade and Rural Development to spend \$323,000 and \$150,000 against its 2005-06 and 2006-07 budgetary appropriations to implement certain projects outlined in the Minister 's Submission on file with the Clerk of the Executive Council;
- (b) Order in Council 2004-384 authorized the Department of Transportation and Works to spend \$1,682,570, \$1,682,570, \$1,682,570 and \$722,142 against its 2005-2006, 2006-2007, 2007-2008 and 2008-2009 budgetary appropriations for road maintenance from Red Bay to Cartwright;
- (c) Order in Council 2004-318 authorized the Department of Transportation and Works to spend \$4,080,000 against its 2005-06 budgetary appropriations for awarding of tenders for Phase III of the Trans Labrador Highway Project;
- (d) Order in Council 2004-270 authorized the Department of Transportation and Works to spend \$8,950,000 against its 2005-06 budgetary appropriations for awarding of tenders for Phase III of the Trans Labrador Highway Project;
- (e) Order in Council 2004-261 authorized the Department of Transportation and Works to spend \$237,933, \$237,933 and \$38,574 against its 2005-2006, 2006-2007 and 2007-2008 budgetary appropriations respectively for road maintenance from Happy Valley-Goose Bay to North West River;
- (f) Order in Council 2004-260 authorized the Department of Transportation and Works to spend \$833,325, \$833,325 and \$136,388 against its 2005-2006, 2006-2007 and 2007-2008 budgetary appropriations respectively for road maintenance from Happy Valley-Goose Bay to Churchill Falls;
- (g) Order in Council 2004-383 authorized the Department of Finance to spend \$1,750,000 against its 2005-2006 budgetary appropriations enabling the Newfoundland and Labrador Industrial Development Corporation to purchase shares in Icewater Seafoods Inc.;

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- (h) Order in Council 2004-259 authorized the Department of Health and Community Services to spend \$918,000 against the 2005-2006 fiscal year appropriations to facilitate expenditures under the Agreement Respecting the Atlantic Initiative - Building a Better Tomorrow.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) tabled the following Special Warrants for 2004:

- (a) A Special Warrant, as authorized by Order in Council 2004-355 under Section 28(2) of the **Financial Administration Act** for \$591,700 to be expended under the Department of Justice to cover costs associated with the deployment of an additional seven Royal Canadian Mounted Police officers in Labrador;
- (b) A Special Warrant, as authorized by Order in Council 2004-407 under Section 28(2) of the **Financial Administration Act** for \$72,700 to be expended under the Department of Justice to enter into an agreement with the New Search and Rescue Secretariat concerning the New Search and Rescue Initiatives Fund.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) tabled a copy of Order in Council 2004-358 authorizing the creation of a New Activity of Expenditure - BSE Recovery Program in the Department of Natural Resources.

The Honourable the Speaker (Mr. Hodder) pursuant to section 5(4) of the *Internal Economy Commission Act*, announced that Honourable Tom Marshall, Member for Humber East had been appointed by the Lieutenant Governor in Council to replace Ms. Elizabeth Marshall, Member for Topsail on the Commission of Internal Economy as of October 6, 2004.

The Honourable the Minister of Municipal & Provincial Affairs (Mr. Jack Byrne) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Municipalities Act, 1999". (Bill No. 37)

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Enhance The Transparency And Accountability Of The Government And Government Entities To The People Of The Province". (Bill No. 39)

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The Honourable the Government House Leader (Mr. Ed Byrne) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The House of Assembly Act And The Elections Act, 1991". (Bill No. 40)

The Honourable the Minister of Natural Resources (Mr. Ed Byrne) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Revise The Law About Veterinary Medicine". (Bill No. 34)

The Honourable the Minister of Health and Community Services (Mr. Ottenheimer) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Pharmaceutical Association Act, 1994". (Bill No. 35)

The Honourable the Minister of Transportation and Works and Minister Responsible for Aboriginal Affairs (Mr. Rideout) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Ratify And Give The Force Of Law To The Labrador Inuit Land Claims Agreement". (Bill No. 44)

The Honourable the Minister of Fisheries and Aquaculture (Mr. Taylor) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Establish The Fish Processing Licensing Board". (Bill No. 36)

The Honourable the Minister of Justice and Attorney General (Mr. Marshall) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Provide For The Registration Of Lobbyists". (Bill No. 43)

The Honourable the Minister of Education (Mr. Hedderson) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The College Act, 1996 And The Memorial University Act". (Bill No 42)

The Honourable the Minister of Human Resources, Labour and Employment (Ms. Burke) gave notice that she would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Labour Standards Act". (Bill No. 38)

The Honourable the Minister of Government Services (Ms. Whalen) gave notice that she would on tomorrow ask leave to introduce a Bill entitled, "An Act Respecting The Government Purchasing Agency". (Bill No. 41)

The Member for Fortune Bay-Cape La Hune (Mr. Langdon) gave notice that he would on tomorrow move the following Resolution:

**WHEREAS** Fishery Products International (FPI) is a critical part of the fishing industry, provides economic and social well-being and contributes to stability and prosperity in many communities of this province;

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**AND WHEREAS** the Government of Newfoundland and Labrador refused to lift the 15% share restriction that is forcing an end to the NEOS Seafood bid to buy all outstanding shares of FPI;

**AND WHEREAS** in correspondence with government and reports in the media, John Risley said in May 2001 that None of FPI employees have anything to fear and We are going to do this (expand the company) by investing in the company, not laying people off ;

**AND WHEREAS** in a Proxy Circular to Holders of Common Shares of FPI in April 2001, John Risley stated (We) do not intend to close any of FPI 's processing facilities in Newfoundland or elsewhere. ;

**AND WHEREAS** in 2002 when FPI was preparing to implement an investment strategy which would have resulted in more than 600 job losses in the three ground fish plants in Marystown, Fortune and Harbour Breton, government undertook to ensure that FPI lived up to previous commitments on employment related issues, resulting in legislative amendments to the FPI Act to protect processing workers;

**AND WHEREAS** in January of 2003, FPI and its unions reached a tentative Memorandum of Understanding (MOU) for the company 's groundfish operations on the province 's south coast, which promised significant capital investment while protecting workers and enhancing plant productivity;

**AND WHEREAS** FPI is a creature of the Fisheries Restructuring Act and later the FPI Act;

**AND WHEREAS** FPI announced that it will not be re-opening the Harbour Breton Fish Plant, rocking the entire province, shaking the industry and devastating FPI workers, families and communities along the south coast;

**THEREFORE BE IT RESOLVED** that the House of Assembly calls on the Provincial Government to demand that FPI make the necessary investment to save the Harbour Breton Fish Plant and restore confidence and trust in the company.

The Opposition House Leader (Mr. Parsons) announced that the Resolution standing in the name of the Member for Fortune Bay-Cape La Hune would be debated on Private Members ' Day on Wednesday.

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The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain residents of the Province calling on the Government of Newfoundland and Labrador to increase the minimum wage to at least eight dollars an hour by 2005.

The Member for Torngat Mountains (Mr. Andersen) presented a Petition on behalf of certain residents of Labrador requesting the Government of the Province to provide the \$2.4 million designated, but now deferred, and to begin construction of the auditorium in Happy Valley-Goose Bay.

The Member for Labrador West (Mr. Collins) presented a Petition on behalf of certain residents of his District asking the government to amend their policy immediately so that all residents of Labrador West may avail of the same medical services at the same cost as other residents living in Labrador in order to travel to Goose Bay for medical services.

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 continue snow clearing on the Red Bay to Lodge Bay section of the Trans Labrador Highway during the winter months.

When Orders of the Day were called by the Speaker, the Leader of the Opposition (Mr. Grimes) rose on a point of order to ask leave of the House under Standing Order 36 to move that the Orders of the Day be set aside by means of an adjournment motion to discuss a matter of urgent and public importance.

There was some debate on the procedure whereupon the Speaker recessed the House at 3:09 o'clock in the afternoon in order to consider the request of the Leader of the Opposition under Standing Order 36.

The Speaker resumed the Chair at 3:49 o'clock in the afternoon.

The Speaker (Mr. Hodder) ruled that the request for an emergency debate under Standing Order 36 was not in order because there was no urgency of debate. There was another opportunity on the Order Paper for debating the offshore fiscal negotiations under the Atlantic Accord that being the Address in Reply.

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

On motion debate adjourned for further debate on tomorrow.

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It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, November 23<sup>rd</sup> 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.