

Monday, November 29<sup>th</sup>, 2004

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

By leave, the Honourable the Premier and Member for Humber West (Mr. Williams) made a Statement to pay tribute to the late Mr. William (Billy) Chafe, a former public servant who during his career held the positions of crier and bailiff in the Supreme Court of Newfoundland and Labrador.

The Member for Grand Falls-Buchans (Ms. Thistle) made a Statement to congratulate the many individuals and businesses who were recently honoured at the Grand Falls-Windsor Sixth Annual Business Excellence Awards and Hall of Fame Induction Ceremony held on October 21<sup>st</sup>, 2004.

The Member for Terra Nova (Mr. Oram) made a Statement to congratulate Mayor Tony Keats of the Town of Dover on receiving a Newfoundland and Labrador Federation of Municipalities Torngat Municipal Achievement Award for 2004 in the category of Municipal Awareness.

The Member for Grand Bank (Ms. Foote) made a Statement to recognize and congratulate Ms. Samantha DeGruchy of Grand Bank on being awarded the Bronze Award of the Duke of Edinburgh Award Program.

The Member for Lake Melville (Mr. Hickey) made a Statement to recognize and congratulate individuals and a company from Labrador on winning various Economic Development Awards namely: Mr. Brian Fallow, Ms. Carol Best, Labrador Fishermen's Union Shrimp Company Ltd. and Mr. James Pye.

The Member for Carbonear-Harbour Grace (Mr. Sweeney) made a Statement to congratulate Mr. William Powers of Salmon Cove who recently celebrated his 100<sup>th</sup> birthday and who had the distinction of being Newfoundland and Labrador's most senior driver.

The Member for Humber Valley (Ms. Goudie) made a Statement to recognize the 30<sup>th</sup> anniversary of the Reidville Volunteer Fire Department and to acknowledge Art and Eric Reid who have served as volunteers with the Fire Department since its inception.

The Honourable the Minister of Government Services (Ms. Whalen) made a Statement to announce that she and the Honourable the Premier had recently signed a Memorandum of Understanding to agree to implement a passport system for securities regulation in Canada.

The Member for Bay of Islands (Mr. Joyce) rose to establish a *prima facie* case of privilege by alleging that the Premier was wrong when he stated that the Member for Bay of Islands had given the Leader of the Opposition false information concerning FPI. The

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Member asked the Premier to withdraw the allegation which the Member regarded as an attack on his character.

The Speaker took the matter under advisement.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Jack Byrne) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Municipal Elections Act". (Bill No. 55)

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 Amend The Pension Benefits Act, 1997". (Bill No. 52)

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 Respecting Court Security". (Bill No. 54)

The Member for Gander (Mr. O'Brien) gave notice that he would on tomorrow move the following Resolution:

**"WHEREAS** the Government of Canada has the responsibility for the enforcement of inland waters;

**AND WHEREAS** poaching is a very serious problem in this province so much so that the Government of Newfoundland and Labrador had to step in and protect the province's dwindling Atlantic salmon resource, despite the fact that responsibility of enforcement and conservation rests solely with the Federal Government;

**AND WHEREAS** the success of the province's Fisheries Enforcement Program is evidence that more enforcement resources are desperately needed;

**AND WHEREAS** the need for increased enforcement is further evidenced by the laying of 87 charges after a 15-month undercover investigation by the Department of Natural Resources;

**THEREFORE BE IT RESOLVED** that this House of Assembly call on the Government of Canada to live up to its responsibility and implement an effective inlands fisheries enforcement program which would include special investigations, enforcement officers who are non-river based and a substantial increase in the funding currently provided to DFO for enforcement."

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The Member for Cartwright - L'Anse au Clair (Ms. Jones) presented a Petition on behalf of certain residents of the Province requesting the Government of Newfoundland and Labrador to pay down the accumulated debt and allow the amalgamated Grenfell Regional Health Board and Labrador Health Board to move forward with health care delivery in this region.

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.

Pursuant to order and on motion the following Bills were introduced and read a first time:

A Bill, "An Act To Enhance The Transparency And Accountability Of The Government And Government Entities To The People Of The Province" (Bill No. 39);

A Bill, "An Act To Amend The House Of Assembly Act And The Elections Act, 1991" (Bill No. 40);

A Bill, "An Act Respecting The Government Purchasing Agency" (Bill No. 41);

A Bill, "An Act To Amend The Jury Act, 1991" (Bill No. 50);

A Bill, "An Act To Revise Various Acts Of The Province With Respect To Certain Functions Of Justices Of The Peace" (Bill No. 49);

A Bill, "An Act To Amend The Securities Act" (Bill No. 47);

A Bill, "An Act To Amend The Insurance Companies Act" (Bill No. 48).

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Pursuant to order and on motion debate continued and concluded on Second Reading of a Bill entitled, “ An Act To Establish The Fish Processing Licensing Board” (Bill No. 36) and on motion it was ordered that Bill No. 36 be read a second time presently.

Pursuant to order and on motion the Bill entitled, “An Act To Establish The Fish Processing Licensing Board” (Bill No. 36) was read a second time and on motion it was ordered that Bill No. 36 be referred to a Committee of the Whole House on tomorrow.

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 Committee of the Whole House.

The Committee of the Whole House considered a Bill entitled, “An Act To Amend The College Act, 1996 And The Memorial University Act” (Bill No. 42).

During the debate, the Opposition House Leader (Mr. Parsons) moved the following amendment:

“That Clause 3 of Bill No. 42 be deleted and the following substituted:

“3. Paragraph 54(d) of the Act is repealed and the following substituted:

“(d) 13 members from the students in attendance at the university, including at least one student from the Marine Institute, one graduate student and one student from Grenfell College, with all members to be chosen in a manner approved by the board.”

The Chair recessed the Committee for a few minutes in order for copies of the amendment to be made and distributed to Members. The Chair also wished to study the proposed amendment.

The Chair reconvened the Committee.

The Chair ruled the amendment in order. Debate commenced and concluded on the amendment to Bill No. 42.

The Chair put the question on the amendment, moved by the Opposition House Leader (Mr. Parsons) and declared the amendment to Clause 3 of Bill No. 42 carried.

The Committee passed the Bill entitled, “An Act To Amend The College Act, 1996

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And The Memorial University Act" (Bill No. 42) with an amendment.

The Committee considered the Bill entitled, "An Act To Amend The Pharmaceutical Association Act, 1994" (Bill No. 35).

The Committee passed all the clauses of Bill No. 35 with the exception of Clause 29 and agreed to adjourn debate on this Bill.

The Committee considered and passed the Bill entitled, "An Act To Amend The Municipalities Act, 1999" (Bill No. 37).

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 Bill entitled, "An Act To Amend The College Act, 1996 And The Memorial University Act" (Bill No. 42) with an amendment.

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

The amendment to Bill No. 42 having been read a first and second time, on motion it was ordered that Bill No. 42 be read a third time presently.

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 Bill entitled, "An Act To Amend The Municipalities Act, 1999" (Bill No. 37) without amendment and asked leave to sit again.

On motion it was ordered that Bill No. 37 be read a third time presently.

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

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

A Bill, "An Act To Amend The Municipalities Act, 1999" (Bill No. 37);

A Bill, "An Act To Amend The College Act, 1996 And The Memorial University Act" (Bill No. 42).

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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.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, November 30<sup>th</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.