

Thursday, December 9th, 2004

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

The Member for Trinity North (Mr. Wiseman) made a Statement to congratulate a large number of volunteers from the Clarenville area for taking the initiative to organize the first ever Newfoundland and Labrador Masters Games for those forty-five and older to be held the first two weekends in March, 2005.

The Member for Fortune Bay - Cape La Hune (Mr. Langdon) made a Statement to pay tribute and to offer condolences to the family of the late Mr. Calvin Buglar of Harbour Breton, a dedicated and prominent citizen in his district.

The Member for Grand Falls-Windsor (Ms. Thistle) made a Statement to congratulate Mr. Scott Critch of Grand Falls - Windsor who attended a certification camp in Winnipeg and became the first internationally sanctioned basketball referee from this province.

The Member for Carbonear-Harbour Grace (Mr. Sweeney) made a Statement to congratulate Ms. Anna Robinson of Harbour Grace, the 2005 Rhodes Scholar elect for Newfoundland and Labrador.

The Honourable the Minister of Human Resources, Labour & Employment (Ms. Burke) made a Statement to advise the citizens of the Province that a recent amendment to the *Labour Standards Act* will ensure that employees in the province will be granted compassionate care leave during important family issues or crises without having to worry about job protection.

The Honourable the Minister of Innovation, Trade & Rural Development (Ms. Dunderdale) tabled the following:

- (a) the 2003-2004 Annual Report of the Rural Secretariat and Strategic Social Plan; and
- (b) the 2003-04 Annual Report of the Department of Innovation, Trade and Rural Development.

The Honourable the Minister of Human Resources, Labour & Employment and Minister Responsible for the Status of Women (Ms. Burke) tabled the following:

- (a) the 2003-04 Annual Report of the Department of Human Resources, Labour and Employment including the Annual Report of the Social Services Appeal Board;
- (b) the 2003-2004 Annual Report of the Labour Relations Agency; and
- (c) the 2003-04 Annual Report of the Women's Policy Office.

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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". (Bill No. 65)

The Honourable the Government House Leader (Mr. Ed Byrne), on behalf of 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 Financial Administration Act No. 2". (Bill No. 60)

The Honourable the Government House Leader (Mr. Ed Byrne), on behalf of 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 Liquor Corporation Act". (Bill No. 61)

The Honourable the Government House Leader (Mr. Ed Byrne), on behalf of 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 Pensions Funding Act". (Bill No. 62)

The Honourable the Government House Leader (Mr. Ed Byrne), on behalf of 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 Public Service Pensions Act, 1991". (Bill No. 63)

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 To Amend The Occupational Health And Safety Act". (Bill No. 64)

The Member for Exploits (Mr. Grimes) presented a Petition on behalf of certain residents of his District requesting the provincial government to withdraw Bill No. 45, "An Act To Amend The Motorized Snow Vehicles And All Terrain Vehicles Act" until public consultations have been held.

The Member for Labrador West (Mr. Collins) presented a Petition on behalf of certain residents of the Province requesting the Government to increase funding for problem gambling, strictly to enforce the existing VLT regulations, at the very least remove VLTs from venues frequented by individuals under 19 years of age and to hold a province wide referendum on banning video lottery terminals in conjunction with municipal elections in 2005.

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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 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 reconsider their decision with respect to the structure of the Labrador Marine Services and reinstate the former service to the port of Cartwright thereby increasing the frequency of crossings between Cartwright and Goose Bay to three trips per week.

The Honourable the Government House Leader (Mr. Ed Byrne) moved pursuant to Standing Order 11 that the House not adjourn at 5:30 o'clock in the afternoon and that the House not adjourn at 10 o'clock in the evening.

The Speaker put the question on the motions that the House not adjourn at 5:30 o'clock in the afternoon and at 10 o'clock in the evening.

The Speaker declared the motions carried.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Fish Inspection Act" (Bill No. 57) and on motion it was ordered that Bill No. 57 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Fish Inspection Act" (Bill No. 57) was read a second time and on motion it was ordered that Bill No. 57 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate continued on Second Reading of 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).

The Speaker recessed the House at 5:53 o'clock in the afternoon for the dinner break.

The Speaker resumed the Chair at 7 o'clock in the evening.

Debate continued and concluded on Second Reading of the Bill entitled, "An Act

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To Enhance The Transparency And Accountability Of The Government And Government Entities To The People Of The Province” (Bill No. 39) and on motion it was ordered that Bill No. 39 be read a second time presently.

Pursuant to order and on motion the 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) was read a second time and on motion it was ordered that Bill No. 39 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 the Committee of the Whole House.

The Committee considered the Bill entitled, “An Act To Amend The House of Assembly Act And The Elections Act, 1991” (Bill No. 40).

The Committee passed Clauses 1 and 2 of Bill No. 40.

After considerable debate, the Honourable the Government House Leader (Mr. Ed Byrne) adjourned debate on Bill No. 40 in Committee of the Whole House.

On motion the Committee rose.

The Speaker resumed the Chair.

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 made some progress and asked leave to sit again.

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

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, “An Act To Amend Court Security” (Bill No. 54) and on motion it was ordered that Bill No. 54 be read a second time presently.

Pursuant to order and on motion the Bill entitled, “An Act To Amend Court Security” (Bill No. 54) was read a second time and on motion it was ordered that Bill No. 54 be

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referred to a Committee of the Whole House presently.

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

A Bill, “An Act To Remove Anomalies And Errors In The Statute Law” (Bill No. 59);

A Bill, “An Act To Amend The Financial Administration Act No. 2” (Bill No. 60);

A Bill, “An Act To Amend The Pensions Funding Act” (Bill No. 62);

A Bill, “An Act To Amend The Public Service Pensions Act, 1991” (Bill No. 63);

A Bill, “An Act To Amend The House of Assembly Act” (Bill No. 65).

On motion it was ordered that some of the said Bills be read a second time presently by leave.

The Honourable the Government House Leader (Mr. Ed Byrne), on behalf of the Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan), informed the House that the Minister of Finance had received a Message from His Honour the Lieutenant Governor.

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

“December 1, 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, 2005, 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.

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Sgd. **Edward Roberts**
Lieutenant Governor.”

On motion of the Honourable the Government House Leader (Mr. Ed Byrne) the House resolved itself into a Committee of the Whole on Supply to consider a certain Resolution and Bill No. 51 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, 2005 And For Other Purposes Relating To The Public Service (Bill No. 51).

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. 51 be introduced to give effect to the Resolution.

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, 2005, the sum of \$664,400” (Resolution of Bill No. 51).

Pursuant to order and on motion 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, 2005 And For Other Purposes Relating To The Public Service” (Bill No. 51) was read a first, second and third time and passed.

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On motion it was ordered that Bill No. 51 be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 63) and on motion it was ordered that Bill No. 63 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 63) was read a second time and on motion it was ordered that Bill No. 63 be referred to a Committee of the Whole House presently by leave.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend House of Assembly Act" (Bill No. 65) and on motion it was ordered that Bill No. 65 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The House of Assembly Act" (Bill No. 65) was read a second time and on motion it was ordered that Bill No. 65 be referred to a Committee of the Whole House presently by leave.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Internal Economy Commission Act" (Bill No. 56) and on motion it was ordered that Bill No. 56 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Internal Economy Commission Act" (Bill No. 56) was read a second time and on motion it was ordered that Bill No. 56 be referred to a Committee of the Whole House presently by leave.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Pension Benefits Act" (Bill No. 52) and on motion it was ordered that Bill No. 52 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Pension Benefits Act" (Bill No. 52) was read a second time and on motion it was ordered that Bill No. 52 be referred to a Committee of the Whole House presently by leave.

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 No. 2" (Bill No. 60) and on motion it was ordered that Bill No. 60 be read a second time presently.

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Pursuant to order and on motion the Bill entitled, "An Act To Amend The Financial Administration Act No. 2" (Bill No. 60) was read a second time and on motion it was ordered that Bill No. 60 be referred to a Committee of the Whole House on tomorrow.

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 the Committee of the Whole House.

The Committee of the Whole House considered the Bill entitled, "An Act Respecting Court Security" (Bill No. 54).

After considerable debate, the Honourable the Government House Leader (Mr. Ed Byrne) adjourned debate on Bill No. 54.

The Committee of the Whole House considered and passed the Bill entitled, "An Act To Amend The Pension Benefits Act, 1997" (Bill No. 52).

The Committee of the Whole House considered and passed the Bill entitled, "An Act To Amend The Internal Economy Commission Act" (Bill No. 56).

The Committee of the Whole House considered the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 63). After some debate, the Honourable the Government House Leader adjourned debate on Bill No. 63.

The Committee of the Whole House considered and passed the Bill entitled, "An Act To Amend The House of Assembly Act" (Bill No. 65).

The Committee of the Whole House considered and passed the Bill entitled, "An Act To Amend The Fish Inspection Act" (Bill No. 57).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee of the Whole House (Ms. Osborne) reported that the Committee of the Whole House had considered the matters to it referred, had made some progress, had passed the following Bills without amendment and asked leave to sit again:

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A Bill, "An Act To Amend The Pension Benefits Act, 1997" (Bill No. 52);

A Bill, "An Act To Amend The Internal Economy Commission Act" (Bill No. 56);

A Bill, "An Act To Amend The House of Assembly Act" (Bill No. 65);

A Bill, "An Act To Amend The Fish Inspection Act" (Bill No. 57).

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

On motion it was ordered that Bills No. 52, 56, 65 and 57 be read a third time presently by leave.

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

A Bill, "An Act To Amend The Pensions Benefits Act, 1997" (Bill No. 52);

A Bill, "An Act To Amend The Internal Economy Commission Act" (Bill No. 56);

A Bill, "An Act To Amend The House Of Assembly Act" (Bill No. 65);

A Bill, "An Act To Amend The Fish Inspection Act" (Bill No. 57).

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.

By leave, pursuant to order and on motion the following Bills were introduced and read a first time:

A Bill, "An Act To Amend The Liquor Corporation Act"(Bill No. 61);

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A Bill, "An Act To Provide For The Registration Of Lobbyists" (Bill No. 43).

On motion it was ordered that the said Bills be read a second time on tomorrow.

The Honourable the Government House Leader (Mr. Ed Byrne) gave notice that he would on tomorrow move pursuant to Standing Order 11 that the House not adjourn at 5:30 o'clock in the afternoon and that the House not adjourn at 10 o'clock in the evening on Monday, December 13th, 2004.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, December 13th, at 1:30 o'clock in the afternoon.

On motion the House then adjourned at 12:14 o'clock in the morning.

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