

Monday, November 20<sup>th</sup>, 2006

Be it known that on this day there appeared before The Honourable Edward Roberts, Q.C., Lieutenant Governor of the Province of Newfoundland and Labrador, Ms. Lorraine Michael, Member returned for the District of Signal Hill-Quidi Vidi. The Clerk of the House of Assembly advised His Honour that the Chief Electoral Officer had published a Notice in **The Newfoundland and Labrador Gazette** declaring Ms. Lorraine Michael as the duly elected Member of the House of Assembly for the District of Signal Hill-Quidi Vidi in the By-Election held on November 1<sup>st</sup>, 2006. Whereupon, Ms. Michael took and subscribed to the Affirmation of Allegiance in the presence of the Clerk of the House of Assembly and signed the Members' Roll.

**William MacKenzie,**  
Clerk of the House of Assembly.

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

The Member for Cartwright – L'Anse au Clair (Ms. Jones) made a Statement to pay tribute to fallen mariner, Leading Seaman Travis Pye, a native of St. Lewis, Labrador who was buried with full military honours on November 13, 2006.

The Member for Windsor-Springdale (Mr. Hunter) made a Statement to congratulate the Town of Springdale for receiving the Newfoundland and Labrador Federation of Municipalities Torngat Municipal Achievement Award.

The Member for Port de Grave (Mr. Butler) made a Statement to congratulate Craig Sharpe on his success in the Canadian Idol contest.

The Member for Topsail (Ms. Marshall) made a Statement to congratulate Mr. Mike Tobin, a resident of Conception Bay South and Vice-Principal of Roncalli Elementary School, who was one of 200 teachers selected by the Honeywell-sponsored "Space Academy for Educators Program".

The Member for Signal Hill - Quidi Vidi (Ms. Michael) made a Statement to recognize the Canadian Union of Postal Workers' Family and Child Care Connections on its tenth anniversary.

The Member for St. John's North (Mr. Ridgley) made a Statement to congratulate John Lamkin who was selected by St. John's Parks and Recreation to receive the "Building Healthy Communities" award.

The Honourable the Premier (Mr. Williams) made a Statement to recognize National Addictions Week.

The Honourable the Minister of Education (Ms. Burke) made a Statement to inform the House of a meeting to take place on November 21<sup>st</sup> and 22<sup>nd</sup> between stakeholders and government partners participating in the Violence Prevention Initiative in St. John's.

The Honourable the Minister of Health and Community Services (Mr. Osborne) made a Statement to recognize National Child Day.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan), in accordance with section 28(3)(b) of the **Financial Administration Act**, tabled Order in Council 2006-439 authorizing the Department of Innovation, Trade and Rural Development to create the following new Subhead - 5.1.03-Commercialization Program (Capital).

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The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan), in accordance with section 26(4) of the **Financial Administration Act**, tabled the following pre-commitments:

- (a) Order in Council 2006-478 authorized the Department of Innovation, Trade and Rural Development to spend \$10 million and \$5 million against its budgetary appropriations for fiscal years 2007-08 and 2008-09 respectively to facilitate the procurement of fibre optic strands in an off-island and on-island fibre optic communications link;
- (b) Order in Council 2006-501 authorized the Office of the Chief Information Officer to spend up to \$1,750,000 against its budgetary appropriations for fiscal years 2007-08, 2008-09 and 2009-10 to facilitate the awarding of a three year contract to provide for government's data network requirements;
- (c) Order in Council 2006-262 authorized the Department of Health and Community Services to spend \$2,155,200 against its budgetary appropriations for the five fiscal years 2007-2008 to 2011-2012 to facilitate the fulfillment of the terms of the Newfoundland and Labrador Prescription Drug Program;
- (d) Order in Council 2006-314 authorized the Department of Government Services to pre-commit funds against its budgetary appropriations over the next eight years to facilitate the awarding of a contract for the provision of a photo driver license and identification card system as follows: 2007-\$572,500, 2008-\$583,530, 2009-\$598,210, 2010-\$612,890, 2011-\$627,570, 2012-\$642,350, 2013-\$656,930, and 2014-\$675,280;
- (e) Order in Council 2006-374 authorized the Office of the Chief Information Officer to spend \$480,000, \$560,000 and \$80,000 for fiscal years 2007-08, 2008-09 and 2009-10 respectively to facilitate an award of contract for an Integrated Information Technology Service Desk Solution;
- (f) Order in Council 2006-375 authorized the Department of Health and Community Services to spend \$105,600, \$113,300 and \$28,800 for fiscal years 2007-08, 2008-09 and 2009-10 respectively to facilitate the entry into agreements to support an independent post-market study of enzyme replacement therapies for Fabry disease;
- (g) Order in Council 2006-392 authorized the Department of Transportation and Works to pre-commit funding totaling \$1,536,300, \$1,536,300, \$1,536,300, \$1,536,300 and \$362,375 against its 2007-08, 2008-09, 2009-10, 2010-11

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and 2011-12 budget appropriations respectively to facilitate an award of contract for summer and winter maintenance of the Trans Labrador Highway between the Quebec/Labrador border in Labrador West and Churchill Falls;

- (h) Order in Council 2006-393 authorized the Department of Transportation and Works to spend \$225,000 for 2007-08 to facilitate entry into an agreement for the replacement of the air handling units in the Sir Richard Squires Building;
- (i) Order in Council 2006-437 authorized the Department of Innovation, Trade and Rural Development to spend up to \$5 million annually against its 2007-08, 2008-09 and 2009-10 budgetary appropriations to support the implementation of the Innovation Strategy;
- (j) Order in Council 2006-457 authorized the Department of Government Services to spend \$119,000 and \$48,000 for fiscal years 2007-08 and 2008-09 respectively to facilitate entering into agreements to support the implementation of an Environmental Health Officer Bursary Program;
- (k) Order in Council 2006-499 authorized the Department of Transportation and Works to spend \$1,173,100, \$839,000, \$249,800, \$249,800 and \$245,900 against its budgetary appropriations for fiscal years 2007-08, 2008-09, 2009-10, 2010-11 and 2011-12 to facilitate the awarding of various service contracts;
- (l) Order in Council 2006-440 authorized the Department of Health and Community Services to spend \$14.5 million against its 2007-08 budgetary appropriations to facilitate the award of the Construction Project #2 (main building structure) contract and to fund other proper related expenditures for the Clarenville Long Term Care Facility.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) tabled the following Special Warrants for 2005-06:

- (a) A Special Warrant, as authorized by Order in Council 2006-387 under Section 28(2) of the **Financial Administration Act** for \$250,000 to be expended under the Consolidated Revenue Fund Head of Expenditure;
- (b) A Special Warrant, as authorized by Order in Council 2006-391 under Section 28(2) of the **Financial Administration Act** for \$544,800 to be expended under the Consolidated Revenue Fund Head of Expenditure;
- (c) A Special Warrant, as authorized by Order in Council 2006-444 under

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Section 28(2) of the **Financial Administration Act** for \$87,800 to be expended under the Consolidated Revenue Fund Head of Expenditure;

- (d) A Special Warrant, as authorized by Order in Council 2006-272 under Section 28(2) of the **Financial Administration Act** for \$550,000 to be expended under the Consolidated Revenue Fund Head of Expenditure;
- (e) A Special Warrant, as authorized by Order in Council 2006-445 under Section 28(2) of the **Financial Administration Act** for \$5,809,000 to be expended under the Consolidated Revenue Fund Head of Expenditure; and
- (f) A Special Warrant, as authorized by Order in Council 2006-462 under Section 28(2) of the **Financial Administration Act** for \$5,331,000 to be expended under the Consolidated Revenue Fund Head of Expenditure.

The Honourable the Speaker (Mr. Hodder) tabled the Annual Report of the Office of the Information and Privacy Commissioner of Newfoundland and Labrador in accordance with Section 59 of the *Access to Information and Protection of Privacy Act*.

The Honourable the Minister of Innovation, Trade and Rural Development (Mr. Taylor) tabled an Information Package and Media Release respecting the Independent Review of Persona Communications Trans Gulf Proposal during Oral Questions.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) gave notice that he would on tomorrow Move that the House Resolve itself into a Committee of the Whole on Supply to Consider certain Resolutions relating to the Granting of Supplementary Supply to Her Majesty. (Bill No. 45)

The Honourable the Minister of Intergovernmental Affairs (Mr. Ottenheimer), on behalf of the Honourable the Minister of Municipal Affairs (Mr. Jack Byrne) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill, "An Act To Amend The Standard Time Act" (Bill No. 34);

A Bill, "An Act To Amend The Urban And Rural Planning Act, 2000" (Bill No. 37).

The Opposition House Leader (Mr. Parsons), in accordance with Standing Order 63(3) gave notice that the following Resolution standing in the name of the Member for Twillingate & Fogo (Mr. Reid) would be debated on Private Members' Day:

**"WHEREAS** \$15 million in taxpayers money has been allocated for a project

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to bring two additional fibre optic cables to the province in a deal which involves close personal friends and business associates of the Premier without a call for public tenders or a request for proposals;

**AND WHEREAS** many significant concerns have been raised about the lack of analysis, the role of lobbyists, the disclosure of a benefits analysis, the exploration of other options and the procedures followed in allocating this money;

**AND WHEREAS** the Government majority on the Public Accounts Committee did not support the Auditor General and the Public Accounts Committee carrying out an investigation into this matter;

**THEREFORE BE IT RESOLVED** that the House of Assembly now calls on the Government to appoint an independent inquiry with broad and expansive terms of reference to immediately investigate all the details and circumstances of the fibre optic deal.”

The Honourable the Minister of Justice and Attorney General (Mr. Marshall) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill, “An Act To Amend The Notaries Public Act” (Bill No. 35);

A Bill, “An Act To Revise The Law Respecting The Conduct Of Public Inquiries” (Bill No. 40);

A Bill, “An Act Respecting The Sale Of Certain Items At A Flea Market” (Bill No. 38).

The Honourable the Minister of Education (Ms. Burke) gave notice that she would on tomorrow ask leave to introduce a Bill entitled “An Act To Amend The Private Training Institutions Act”. (Bill No. 44)

The Honourable the Minister of Health and Community Services (Mr. Osborne) gave notice that he would on tomorrow ask leave to introduce a Bill entitled “An Act To Establish A Health Research Ethics Authority For The Province”. (Bill No. 23)

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The Honourable the Minister of Government Services (Ms. Whalen) gave notice that she would on tomorrow ask leave to introduce the following Bills:

A Bill, "An Act To Amend The Real Estate Trading Act" (Bill No. 33);

A Bill, "An Act To Amend The Vital Statistics Act" (Bill No. 43).

The Honourable the Minister of Environment and Conservation (Mr. Jackman) gave notice that he would on tomorrow ask leave to introduce a Bill entitled "An Act To Amend The Environmental Protection Act No. 2". (Bill No. 36)

The Honourable the Minister of Intergovernmental Affairs (Mr. Ottenheimer), on behalf of the Honourable the Minister of Municipal Affairs (Mr. Jack Byrne) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill, "An Act To Amend The City Of Corner Brook Act And The City Of Mount Pearl Act" (Bill No. 41);

A Bill, "An Act To Amend The Taxation Of Utilities And Cable Television Companies Act" (Bill No. 42).

The Member for Fortune Bay-Cape La Hune (Mr. Langdon) presented a Petition on behalf of certain residents of the Province calling upon the House of Assembly to urge Government to assure residents of Ramea that they can depend on a standard ferry service at all times throughout the year.

The Member for Grand Falls-Buchans (Ms. Thistle) presented a Petition on behalf of certain residents of the Province calling upon the House of Assembly to urge Government to rename the Mary March Museum in Grand Falls-Windsor the Demasduit Museum.

On motion the following Bills were introduced and read a first time by leave:

A Bill, "An Act To Establish A Health Research Ethics Authority For The Province" (Bill No. 23);

A Bill, "An Act To Amend The Real Estate Trading Act" (Bill No. 33);

A Bill, "An Act To Amend The Standard Time Act" (Bill No. 34);

A Bill, "An Act To Amend The Notaries Public Act" (Bill No. 35);

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- A Bill, "An Act To Amend The Environmental Protection Act No. 2" (Bill No. 36);
- A Bill, "An Act To Amend The Urban And Rural Planning Act, 2000" (Bill No. 37);
- A Bill, "An Act Respecting The Sale Of Certain Items At A Flea Market" (Bill No. 38);
- A Bill, "An Act To Revise The Law Respecting The Conduct Of Public Inquiries" (Bill No. 40);
- A Bill, "An Act To Amend The City Of Corner Brook Act And The City Of Mount Pearl Act" (Bill No. 41);
- A Bill, "An Act To Amend The Taxation Of Utilities And Cable Television Companies Act" (Bill No. 42);
- A Bill, "An Act To Amend The Vital Statistics Act" (Bill No. 43);
- A Bill, "An Act To Amend The Private Training Institutions Act" (Bill No. 44).

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

On motion and by leave debate commenced on Second Reading of a Bill entitled "An Act To Amend The Real Estate Trading Act" (Bill No. 33) and on motion debate adjourned for further debate presently.

On motion and by leave debate commenced and concluded on Second Reading of a Bill entitled "An Act To Amend The Notaries Public Act" (Bill No. 35) and on motion it was ordered that Bill No. 35 be read a second time presently.

Pursuant to order and on motion the Bill entitled "An Act To Amend The Notaries Public Act" (Bill No. 35) was read a second time and on motion it was ordered that Bill No. 35 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate continued and concluded on Second Reading of a Bill entitled "An Act To Amend The Real Estate Trading Act" (Bill No. 33) and on motion it was ordered that Bill No. 33 be read a second time presently.



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Pursuant to order and on motion the Bill entitled "An Act To Amend The Real Estate Trading Act" (Bill No. 33) was read a second time and on motion it was ordered that Bill No. 33 be referred to a Committee of the Whole House presently.

On motion debate commenced and concluded on Second Reading of a Bill entitled "An Act To Amend The Standard Time Act" (Bill No. 34) and on motion it was ordered that Bill No. 34 be read a second time presently.

On motion and by leave the Bill entitled "An Act To Amend The Standard Time Act" (Bill No. 34) was read a second time and on motion it was ordered that Bill No. 34 be referred to a Committee of the Whole House presently.

On motion and by leave debate commenced and concluded on Second Reading of a Bill entitled "An Act To Amend The Environmental Protection Act No. 2" (Bill No. 36) and on motion it was ordered that Bill No. 36 be read a second time presently.

On motion and by leave the Bill entitled "An Act To Amend The Environmental Protection Act No. 2" (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 presently.

On motion and by leave debate commenced and concluded on Second Reading of a Bill entitled "An Act To Amend The Urban And Rural Planning Act, 2000" (Bill No. 37) and on motion it was ordered that Bill No. 37 be read a second time presently.

On motion of the Honourable the Government House Leader (Mr. Sullivan) 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 without amendment the following Bills:

A Bill, "An Act To Amend The Real Estate Trading Act" (Bill No. 33);

A Bill, "An Act To Amend The Standard Time Act" (Bill No. 34);

A Bill, "An Act To Amend The Urban And Rural Planning Act, 2000" (Bill No. 37);

A Bill, "An Act To Amend The Notaries Public Act" (Bill No. 35);

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A Bill, "An Act To Amend The Environmental Protection Act No. 2". (Bill No. 36).

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, and had passed the following Bills without amendment:

A Bill, "An Act To Amend The Real Estate Trading Act" (Bill No. 33);

A Bill, "An Act To Amend The Standard Time Act" (Bill No. 34);

A Bill, "An Act To Amend The Urban And Rural Planning Act, 2000" (Bill No. 37);

A Bill, "An Act To Amend The Environmental Protection Act No. 2". (Bill No. 36).

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

On motion and by leave it was ordered that Bills No. 33, 34, 36 and 37 be read a third time presently.

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

A Bill, "An Act To Amend The Real Estate Trading Act" (Bill No. 33);

A Bill, "An Act To Amend The Standard Time Act" (Bill No. 34);

A Bill, "An Act To Amend The Environmental Protection Act No. 2". (Bill No. 36);

A Bill, "An Act To Amend The Urban And Rural Planning Act, 2000" (Bill No. 37).

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.

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On motion and by leave debate commenced and concluded on Second Reading of a Bill entitled "An Act To Establish A Health Research Ethics Authority For The Province" (Bill No. 23) and on motion it was ordered that Bill No. 23 be read a second time presently.

Pursuant to order and on motion the Bill entitled "An Act To Establish A Health Research Ethics Authority For The Province" (Bill No. 23) was read a second time and on motion it was ordered that Bill No. 23 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 tomorrow, Tuesday, November 21<sup>st</sup> at 1:30 o'clock in the afternoon.

On motion the House then adjourned accordingly.

**William MacKenzie,**  
Clerk of the House of Assembly.