

Wednesday, May 24, 2023

The House met at 10 a.m.

GOVERNMENT BUSINESS

Pursuant to order and on motion, the House resolved itself into a Committee of the Whole to consider a bill entitled “An Act to Amend the Revenue Administration Act and An Act to Amend the Income Tax Act, 2000” (Bill 38).

The Speaker left the Chair.

The Deputy Speaker (B. Warr) took the Chair of Committee of the Whole.

On motion, the Committee rose.

The Speaker resumed the Chair.

The Chair (B. Warr) reported the Committee of the Whole had considered the matters to them referred, reported they had made progress and asked leave to sit again.

The Speaker put the question and it was ordered the report be received and adopted.

The Speaker put the question and it was ordered the Committee have leave to sit again.

On motion, debate continued and concluded on the motion “That this House approve in general the budgetary policy of the Government” (budget motion).

The Speaker put the question.

The House divided.

Ayes	Nays
A. Furey	D. Brazil
J. Hogan	B. Petten
L. Dempster	H. Conway Ottenheimer
J. Haggie	P. Dinn
B. Davis	L. Parrott
T. Osborne	T. Wakeham
S. Coady	J. Dwyer
P. Parsons	P. Forsey

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E. Loveless	L. O'Driscoll
K. Howell	C. Pardy
A. Parsons	J. Wall
S. Crocker	C. Tibbs
S. Stoodley	J. Dinn
D. Bragg	J. Brown
J. Abbott	L. Evans
B. Warr	
S. Gambin-Walsh	
S. Reid	
L. Stoyles	
E. Joyce	
P. Lane	

The Speaker declared the motion carried.

The Minister of Finance (S. Coady) informed the House a Message had been received from the Lieutenant Governor.

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

“2 May 2023

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 31 March 2024, by way of further 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.”

Sgd. **Judy M. Foote**
Lieutenant Governor.”

Pursuant to notice and on motion, the House resolved itself into a Committee of the Whole on Supply to consider the Message together with a resolution and a related bill entitled “An Act for Granting to His Majesty Certain Sums of Money for Defraying Certain Expenses of the Public Service for the Financial Year Ending March 31, 2024 and for Other Purposes Relating to the Public Service” (Bill 26) for the granting of supply to His Majesty.

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The Speaker left the Chair.

The Deputy Speaker (B. Warr) took the Chair of Committee of the Whole on Supply.

On motion, the Committee rose.

The Speaker resumed the Chair.

The Chair (B. Warr) reported the Committee of the Whole on Supply had considered the matters to them referred and had directed them to report they had passed the amount of \$8,746,723,900 contained in the estimates of supply for the fiscal year 2023-2024 and had adopted a certain resolution and recommended that a related bill entitled "An Act for Granting to His Majesty Certain Sums of Money for Defraying Certain Expenses of the Public Service for the Financial Year Ending March 31, 2024 and for Other Purposes Relating to the Public Service" (Bill 26) be introduced to give effect to the resolution.

The Speaker put the question and it was ordered the report be received and adopted.

Pursuant to order and on motion, the following resolution was read the first and second time:

"That it is expedient to introduce a measure to provide for the granting to His Majesty for defraying certain expenses of the public service for the financial year ending March 31, 2024 the sum of \$5,772,561,200."

The Speaker put the question and declared the resolution carried.

Pursuant to order and on motion, a bill entitled "An Act for Granting to His Majesty Certain Sums of Money for Defraying Certain Expenses of the Public Service for the Financial Year Ending March 31, 2024 and for Other Purposes Relating to the Public Service" (Bill 26) was read the first, second and third time and passed.

Pursuant to order and on motion, the House resolved itself into a Committee of the Whole to consider a bill entitled "An Act to Amend the Revenue Administration Act and An Act to Amend the Income Tax Act, 2000" (Bill 38).

The Speaker left the Chair.

The Deputy Speaker (B. Warr) took the Chair of Committee of the Whole.

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On motion, the Committee rose.

The Speaker resumed the Chair.

The Chair (B. Warr) reported the Committee of the Whole had considered the matters to them referred, reported they had made progress and asked leave to sit again.

The Speaker put the question and it was ordered the report be received and adopted.

The Speaker put the question and it was ordered the Committee have leave to sit again.

On motion, the House recessed at 12:27 p.m.

The Speaker resumed the Chair at 2 p.m.

ROUTINE PROCEEDINGS

Members' Statements

The following Members provided statements:

The Member for Humber - Bay of Islands (E. Joyce) recognizing Jacey Matthews who was recently awarded a 2023 Research Inspired Student Enrichment (RISE) Award.

The Member for Labrador West (J. Brown) recognizing Cliff (Bryan) Lush, owner and operator of Cliff's TV in Labrador West, on 35 years in business.

The Member for Baie Verte - Green Bay (B. Warr) congratulating all 2023 high school graduates of the District of Baie Verte - Green Bay.

The Member for Harbour Main (H. Conway Ottenheimer) recognizing Sean Cleary, of Harbour Main on receiving the designations Softball Canada's Player of the Year, and Softball Newfoundland & Labrador's Player of the Decade; and Jabez Seymour of North River on his performance as a member of Newfoundland and Labrador's male hockey team at the 2023 Canada Winter Games.

The Member for Fortune Bay - Cape La Hune (E. Loveless), with leave, recognizing Emily Elizabeth Baker, student at Conrad Fitzgerald Academy, on

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being selected to the team representing the province at the Canada-wide science fair in Edmonton.

The Member for Gander (J. Haggie), with leave, recognizing Pat and Florence White, owners of Gander Aerospace, Gander Flight Training and Exploits Valley Air Services, on their induction to the Junior Achievement Business Hall of Fame.

The Member for Virginia Waters - Pleasantville (B. Davis), with leave, recognizing Jaida Lee on receiving the SportNL Margaret Davis Memorial Award for junior female athlete of the year.

Ministerial Statements

The following Ministers provided statements:

The Minister of Transportation and Infrastructure (E. Loveless) recognizing departmental employees, Ronald Beanland and John Tobin of the Cold Brook Depot, for their efforts in helping save a life.

The Members for Stephenville - Port au Port (T. Wakeham) and Labrador West (J. Brown) responded to the statement.

The Minister of Labrador Affairs (L. Dempster) recognizing the Shark Tech team from Labrador Straits Academy on placing second in the provincial robotics competition and for being one of two teams to represent the province at an international competition.

The Members for Harbour Main (H. Conway Ottenheimer) and Torngat Mountains (L. Evans) responded to the statement.

Oral Questions

The House proceeded to Oral Questions.

Presenting Reports by Standing and Select Committees

There were no reports by Standing or Select Committees presented.

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Tabling of Documents

Pursuant to section 23 of the *Auditor General Act, 2021*, the Speaker tabled the following report of the Auditor General:

Food Premises Inspection and Licensing Program Audit Report.

By leave, the Member for Labrador West (J. Brown) tabled:

A sample of statistics and other information from the air quality monitoring station in Labrador West.

Notices of Motion

There were no notices of motion.

Answers to Questions for Which Notice Has Been Given

There were no answers to questions for which notice had been given.

Petitions

The following Members presented petitions:

The Member for Harbour Main (H. Conway Ottenheimer) regarding the need to prioritize the issue of class sizes, recognize the impact on the education system and allocate appropriate resources to address the issue.

The Member for St. John's Centre (J. Dinn) regarding the need for development of public transportation options throughout the province and traffic studies prior to further highway expansions.

PRIVATE MEMBER'S RESOLUTION

Pursuant to notice and on motion, debate commenced on the resolution standing in the name of the Member for Conception Bay South (B. Petten):

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WHEREAS Memorial University's administration has shown contempt for Newfoundlanders and Labradorians, their history, their sacrifices, the founding principles of the province's only university, and the people's House of Assembly by refusing to continue leading the convocation in singing the province's anthem at graduation ceremonies, even while admitting the decision to stop singing the anthem should never have been made in the first place;

AND WHEREAS, while fully respecting the autonomy of Memorial University in academic matters, the House of Assembly can require that this ceremonial wrong be corrected by restoring the anthem to graduation ceremonies through legislation;

THEREFORE BE IT RESOLVED that this Hon. House urge the government to bring forward legislation to require the Ode to Newfoundland and the Ode to Labrador to be sung at graduation ceremonies of Memorial University's convocation;

AND BE IT FUTHER RESOLVED that the government be encouraged to review and give due diligence to the proposed legislation appended to this resolution and bring forward legislation of similar effect.

The appended draft legislation follows:

Second Session, 50th General Assembly
1 Charles III, 2023

(DRAFT) BILL __

AN ACT TO AMEND THE PROVINCIAL ANTHEM ACT AND THE
MEMORIAL UNIVERSITY ACT

Received and Read the First Time.....

Second Reading.....

Committee.....

Third Reading.....

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Royal Assent.....

HONOURABLE KRISTA LYNN HOWELL
Minister of Municipal and Provincial Affairs

HONOURABLE JOHN HAGGIE
Minister of Education

Ordered to be printed by the Honourable House of Assembly

EXPLANATORY NOTES

This Bill would amend the *Provincial Anthem Act* and the *Memorial University Act*.

The *Provincial Anthem Act* would be amended to

- designate both the Ode to Newfoundland and the Ode to Labrador as the Provincial Anthem.

The *Memorial University Act* would be amended to

- require the singing of the Provincial Anthem at all graduation ceremonies of the Memorial University convocation.

A (DRAFT) BILL

AN ACT TO AMEND THE PROVINCIAL ANTHEM ACT AND THE MEMORIAL UNIVERSITY ACT

Analysis

PART	I
PROVINCIAL ANTHEM ACT	
1. S.2	Amdt.
Words	
2. S.3 Amdt.	
Music	
3. S.4	Amdt.
Words and music	
4. Schedule Amdt.	
Schedule A and Schedule B	

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PART
MEMORIAL UNIVERSITY ACT

II

5. S.3 Amdt.
The Memorial University of Newfoundland

Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows:

**PART I
PROVINCIAL ANTHEM ACT**

RSNL 1990 cP-28 as amended

1. Section 2 of the Act is repealed and the following substituted:

Words

2. The words for the anthem of the province are

(1) the words commonly used with the Ode to Newfoundland, written by Sir Cavendish Boyle, Governor of Newfoundland from 1901 to 1904; and

(2) the words commonly used with the Ode to Labrador, written by Dr. Harry Paddon in 1927.

2. Section 3 of the Act is repealed and the following substituted:

Music

3. The music for the anthem of the province is

(1) the music that is commonly used with the Ode to Newfoundland, which was composed by Sir C. Hubert H. Parry and approved and officially recognized for the Ode to Newfoundland by Minute of the Committee of the Honourable the Executive Council of Newfoundland on May 20, 1904, that directed that the music be printed and copyrighted; and

(2) the music that is commonly used with the Ode to Labrador, which is the melody of O Tannenbaum, composed by Ernst Anschütz in 1824 and based on the 16th century Silesian folk melodies of both Es Lebe Hoch der Zimmermannsgeselle and Lauriger Horatius.

3. Section 4 of the Act is repealed and the following substituted:

Words and music

4. The words and music as set out in Schedules A and B to this Act are designated as the provincial anthem.

4. The Schedule of the Act is repealed and the following substituted:

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Schedule A.

Ode to Newfoundland

1.

When sun rays crown thy pine-clad hills
And Summer spreads her hand,
When silvern voices tune thy rills,
We love thee, smiling land.

Refrain

We love thee, we love thee,
We love thee, smiling land.

2.

When spreads thy cloak of shimmering white
At Winter's stern command,
Through shortened day and starlight night,
We love thee, frozen land.

Refrain

We love thee, we love thee,
We love thee, frozen land.

3.

When blinding storm gusts fret thy shore,
And wild waves lash thy strand;
Though spindrift swirl and tempest roar
We love thee, wind-swept land.

Refrain

We love thee, we love thee,
We love thee wind-swept land.

4.

As loved our fathers, so we love,
Where once they stood we stand;
Their prayer we raise to Heaven above,
God guard thee, Newfoundland.

Refrain

God guard thee, God guard thee,
God guard thee, Newfoundland.

Ode to Newfoundland

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Sir CAVENDISH BOYLE. Sir C. HUBERT H. PARRY.

Spiritoso.

1 When sun rays crown thy pine-clad hills And Sum-mer spreads her

Spiritoso.

Allargando.

hand, When sil-vern voi-ces tune thy rills, We love thee, smi-ling

Allargando.

land, we love thee, we love thee, we love thee, smi-ling land.

rit.

rit.

Schedule B.

Ode to Labrador

1.

Dear land of mountains, woods and snow,
 Labrador, our Labrador.
 God's noble gift to us below,
 Labrador, our Labrador.
 Thy proud resources waiting still,
 Their splendid task will soon fulfil,
 Obedient to thy Maker's will.
 Labrador, our Labrador.

2.

Thy stately forests soon shall ring,

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Labrador, our Labrador.
 Responsive to the woodsman's swing,
 Labrador, our Labrador.
 And mighty floods that long remained,
 Their raging fury unrestrained,
 Shall serve the purpose God ordained,
 Labrador, our Labrador.

3.

We love to climb thy mountains steep,
 Labrador, our Labrador.
 And paddle on thy waters deep,
 Labrador, our Labrador.
 Our snowshoes scar thy trackless plains,
 We seek no city streets nor lanes,
 We are thy sons while life remains,
 Labrador, our Labrador.

Ode to Labrador



**PART II
 MEMORIAL UNIVERSITY ACT**

RSNL1990 cM-7 as amended

5. Section 3 of the *Memorial University Act* is amended by adding immediately after subsection (3) the following:

(4) At all graduation ceremonies of the convocation at which degrees, including honorary degrees, are granted, conferred, recognized or celebrated, the provincial anthem as defined in the *Provincial Anthem Act* shall be sung during the ceremony in recognition of the fact that Memorial University is Newfoundland and Labrador's only university, has a special obligation to the people of Newfoundland and Labrador, and was established as a memorial to

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the Newfoundlanders and Labradorians who lost their lives on active service during the First World War and subsequent conflicts, from whose sacrifices Memorial University draws inspiration from the past as it helps to build a better future for our province, our country and our world.

During the debate, the Minister of Education (J. Haggie) moved an amendment.

The Speaker recessed the proceedings to consider the amendment.

The Speaker resumed the Chair and ruled the amendment was not in order.

Debate resumed and concluded on the resolution.

The Speaker put the question.

The House divided.

Ayes	Nays
D. Brazil	J. Hogan
B. Petten	L. Dempster
L. Parrott	J. Haggie
T. Wakeham	G. Byrne
J. Dwyer	B. Davis
P. Forsey	T. Osborne
L. O'Driscoll	S. Coady
C. Pardy	P. Parsons
J. Wall	E. Loveless
C. Tibbs	K. Howell
E. Joyce	A. Parsons
	S. Stoodley
	J. Abbott
	B. Warr
	S. Gambin-Walsh
	S. Reid
	L. Stoyles
	J. Dinn
	J. Brown
	L. Evans

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The Speaker declared the resolution defeated.

Pursuant to order and on motion, the House resolved itself into a Committee of the Whole to consider a bill entitled “An Act to Amend the Revenue Administration Act and An Act to Amend the Income Tax Act, 2000” (Bill 38).

The Speaker left the Chair.

The Deputy Speaker (B. Warr) took the Chair of Committee of the Whole.

On motion, the Committee rose.

The Speaker resumed the Chair.

The Chair (B. Warr) reported the Committee of the Whole had considered the matters to them referred and had directed them to report the Committee had recommended, without amendment, a bill entitled:

“An Act to Amend the Revenue Administration Act and An Act to Amend the Income Tax Act, 2000” (Bill 38).

The Speaker put the question and it was ordered the report be received and adopted.

On motion, it was ordered that Bill 38 be read the third time on tomorrow.

On motion, the House adjourned until tomorrow, Thursday, May 25 at 1:30 p.m.

Sandra Barnes
Clerk of the House of Assembly