

Thursday, May 27th, 2004

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

The Leader of the Opposition (Mr. Grimes) rose on a point of order to allege that certain comments made by the Honourable the Minister of Transportation and Works (Mr. Rideout) on May 26th as quoted in Hansard were not factual and that the Members of the House were misled by these comments. The Honourable the Government House Leader (Mr. Byrne) rose to say that the Leader of the Opposition had imputed motives to the Minister and that the matter was not a valid point of order.

The Speaker ruled there was no point of order but a disagreement between two Members as to the facts and circumstances relating to the matter.

Whereupon the Leader of the Opposition (Mr. Grimes) rose to establish a *prima facie* case of privilege by alleging that the Minister of Transportation and Works (Mr. Rideout) who spoke on behalf of the Government had stated that a certain letter was circulated to the Official Opposition caucus when in fact it had not been circulated.

The Speaker ruled that the Leader of the Opposition had not established a *prima facie* case of privilege. He quoted Beauchesne's 6th Edition, paragraph 31 which states that a dispute arising between two Members as to the allegations of fact does not fulfill the conditions of parliamentary privilege.

The Member for Port de Grave (Mr. Butler) made a Statement to congratulate Craig Snow, Samantha March and Peggy Wakeham who were honoured by the Town of Bay Roberts as the 2003 Athletes of the Year. The Member recounted the athletic prowess of these young persons.

The Member for Port au Port (Mr. Jim Hodder) made a Statement respecting the presentation of *Vive La Rose - The Emile Benoit Story* a play about the well known Francophone musician from his District, the late Emile Benoit.

The Member for Cartwright-L'Anse au Clair (Ms. Jones) made a Statement to recognize a group of hard working and dedicated volunteers in her District who had worked towards helping teens quit the unhealthy habit of smoking by participating in the *Kick the Nic@* Program.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) made a Statement to acknowledge the important step taken by the Inuit of Labrador towards the creation of Nanutsavut - Our Beautiful Land - as a recognized Inuit Territory and a third order of First Nations Government. The Member noted that the eventual agreement will allow a large measure of self-determination and self-government to the Inuit people of the Province.

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The Honourable the Minister of Transportation, Works and Aboriginal Affairs (Mr. Rideout) made a Statement on behalf of the Province to congratulate the Labrador Inuit Association and their President, Mr. William Andersen III on the successful Inuit ratification vote with respect to the Labrador Inuit Land Claims Agreement.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) made a Statement to announce that Standard & Poor's Rating Services had affirmed the Province's current credit rating at A- and that the outlook was considered stable.

The Honourable the Minister of Human Resources, Labour and Employment (Ms. Burke) made a Statement to draw attention to a public education campaign launched by the Workplace, Health, Safety and Compensation Commission to promote safety at work in an effort to prevent workplace injuries, illnesses and deaths.

The Honourable the Minister of Human Resources, Labour and Employment (Ms. Burke) tabled:

- (a) the 2002-03 Annual Report of the Department of Human Resources and Employment; and
- (b) the 2003 Annual Report of the Labour Relations Board Newfoundland and Labrador.

The Member for Bonavista North (Mr. Harding), as Chairperson of the Resource Committee, reported that the Committee had considered the matters to it referred and had passed, without amendment, the following Heads of Expenditure:

Fisheries and Aquaculture
Labrador and Aboriginal Affairs
Innovation, Trade and Rural Development
Environment and Conservation
Tourism, Culture and Recreation
Business, and
Natural Resources.

On motion the report was received and on motion debate on the Report was deferred until later in the afternoon.

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The Member for Trinity North (Mr. Wiseman), as Chairperson of the Social Services Committee, reported that the Committee had considered the matters to it referred and had passed, without amendment, the following Heads of Expenditure:

Health and Community Services
Justice
Human Resources, Labour and Employment
Newfoundland and Labrador Housing Corporation
Municipal and Provincial Affairs, and
Education.

On motion, the report was received and on motion debate on the report was deferred until tomorrow.

The Member for Placentia & St. Mary's (Mr. Manning), as Chairperson of the Government Services Committee, reported that the Committee had considered the matters to it referred and had passed, without amendment, the following Heads of Expenditure:

Finance
Public Service Commission
Transportation and Works, and
Government Services.

On motion the report was received and on motion debate on the report was deferred until tomorrow.

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 to Consider certain Resolutions relating to the Granting of Supplementary Supply To Her Majesty (Bill No. 28).

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 to Consider certain Resolutions relating to the Granting of Supplementary Supply To Her Majesty No. 2 (Bill No. 29).

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 Automobile Insurance Act, The Insurance Companies Act And The Highway Traffic Act To

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Effect Certain Reforms Respecting Automobile Insurance (Bill No. 30).

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 Fishing Industry Collective Bargaining Act (Bill No. 26).

The Honourable the Minister of Education (Mr. Ottenheimer) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, An Act To Amend The Schools Act, 1997" (Bill No. 31).

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 Amend The Professional Fish Harvesters Act (Bill No. 25).

The Honourable the Minister of Transportation, Works and Aboriginal Affairs (Mr. Rideout) on behalf of the Honourable the Minister of Justice and Attorney General (Mr. Tom Marshall) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, An Act To Amend The Provincial Offences Act (Bill No. 27).

In reply to a Question for which notice had been given, the Honourable the Minister of Government Services (Ms. Whalen) tabled a letter of resignation she received from Mr. George Saunders, the former Commissioner of Petroleum Products Pricing.

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 commence the building of a road connecting the Trans Labrador Highway with Williams Harbour in 2004.

The Member for Carbonear-Harbour Grace (Mr. Sweeney) presented a Petition on behalf of certain residents of his District urging the Avalon West School Board to reverse the decision by that Board to close St. Joseph's School and to reverse the decision to bus students to Harbour Grace and commit funds to construct a new school in Carbonear.

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

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| A Bill, | An Act To Amend The Professional Fish Harvesters Act" (Bill No. 25); |
| A Bill, | An Act To Amend The Fishing Industry Collective Bargaining Act" (Bill No. 26); |
| A Bill, | An Act To Amend The Provincial Offences Act" (Bill No. 27); |

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A Bill, An Act To Amend The Automobile Insurance Act, The Insurance Companies Act And The Highway Traffic Act To Effect Certain Reforms Respecting Automobile Insurance" (Bill No. 30);

A Bill, An Act To Amend The Schools Act, 1997" (Bill No. 31).

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

Pursuant to order and on motion debate commenced on the motion that the House concur in the Report of the Social Services Committee.

At 3:54 o'clock in the afternoon a Member noted that there was not a quorum present in the Chamber. Whereupon the Speaker directed the Clerk to count the House.

A quorum was restored and the debate on the concurrence motion continued and concluded.

The Speaker put the motion that the House concur in the Report of the Social Services Committee.

The Speaker declared the motion carried.

Pursuant to order and on motion 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 and passed a Bill entitled, An Act To Amend The Mineral Act" (Bill No. 22).

The Committee of the Whole House considered and passed a Bill entitled, An Act To Amend The Highway Traffic Act" (Bill No. 21).

The Committee of the Whole House considered and passed a Bill entitled, An Act To Amend The Income Tax Act, 2000 No. 2" (Bill No. 20).

The Committee of the Whole House considered and passed a Bill entitled, An Act To Amend The Memorial University Pensions Act" (Bill No. 23).

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The Committee of the Whole House considered and passed a Bill entitled, "An Act To Create A Pension Plan For Provincial Court Judges" (Bill No. 24).

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 and asked leave to sit again:

- A Bill, An Act To Amend The Mineral Act" (Bill No. 22);
- A Bill, An Act To Amend The Highway Traffic Act" (Bill No. 21);
- A Bill, An Act To Amend The Income Tax Act, 2000 No. 2" (Bill No. 20);
- A Bill, An Act To Amend The Memorial University Pensions Act" (Bill No. 23);
- A Bill, An Act To Create A Pension Plan For Provincial Court Judges" (Bill No. 24).

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

On motion it was ordered that Bills 22, 21, 20, 23 and 24 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 Mineral Act" (Bill No. 22);
- A Bill, An Act To Amend The Highway Traffic Act" (Bill No. 21);
- A Bill, An Act To Amend The Income Tax Act, 2000 No. 2" (Bill No. 20);
- A Bill, An Act To Amend The Memorial University Pensions Act" (Bill No. 23);
- A Bill, An Act To Create A Pension Plan For Provincial Court Judges" (Bill No. 24).

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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.

The Honourable the Government House Leader (Mr. 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, May 31st, 2004.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, May 31st 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.