

Tuesday, November 30th, 2004

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

The Honourable the Speaker (Mr. Hodder) ruled on a matter of privilege raised by the Member for Bay of Islands (Mr. Joyce) on November 29th. The Speaker ruled that the Member had not established a *prima facie* case of privilege and that the matter was a disagreement between two Honourable Members.

The Member for Windsor-Springdale (Mr. Hunter) made a Statement to recognize and congratulate Mrs. Gladys Osmond from his District who received the prestigious Governor General's Caring Canadian Award for her commitment to peacekeepers and missionaries all over the world.

The Member for Exploits (Mr. Grimes) made a Statement to congratulate the dedicated volunteers who maintain the Bishop's Falls Volunteer Fire Department. The Member also mentioned those individuals who were recipients of pins for 30 years of service and three fire-fighters' children who were awarded scholarships.

The Member for Placentia & St. Mary's Bay (Mr. Manning) made a Statement to congratulate the members of the Placentia Volunteer Fire Department and the Ladies Auxiliary for supporting the Fire Department during the year.

The Member for Port de Grave (Mr. Butler) made a Statement to congratulate Mr. Jason Greeley of Upper Island Cove who made it to the final four of the popular television show, *Canadian Idol* last summer.

The Member for Burin-Placentia West (Mr. Jackman) made a Statement to congratulate two young women from his District, Ms. Desiree Leonard of Petite Forte and Ms. Erin Glavine of Marystown, who were recently named to Memorial University's Dean's List for the 2003-2004 academic year.

The Member for Labrador West (Mr. Collins) made a Statement to congratulate the Mark Nichols Rink on winning the 2004-2005 Canadian Mixed Curling Championship, the first time a rink from this Province had won the National Mixed Curling Tournament.

The Honourable the Minister of Transportation & Works and Aboriginal Affairs (Mr. Rideout) made a Statement respecting the legislation which will be introduced to ratify the Labrador Inuit Land Claims Agreement. The Minister also referred to concerns raised by the Labrador Métis Nation.

The Honourable the Minister of Education (Mr. Hedderson) made a Statement to advise Members with respect to the contents of a Report entitled *CareerSearch 2004* which

Tuesday, November 30th, 2004

provides parents, students, policy makers and program administrators with follow-up information on students who graduated from post-secondary institutions during 2002.

The Honourable the Minister of Tourism, Culture & Recreation (Mr. Shelley) made a Statement to congratulate the Mark Nichols Rink of St. John's on winning the 2004-2005 Canadian Mixed Curling Championship, the first time a rink from this Province had won the National Mixed Curling Tournament. The Minister in particular congratulated team members, Mark Nichols, Shelley Nichols, Brent Hamilton and Jennifer Guzzwell.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) tabled (in 5 volumes plus a highlights pamphlet) a copy of the audited Public Accounts and the Accounts of the Crown Corporations, Boards and Authorities of the Province for the fiscal year ended March 31, 2004.

The Member for Bay of Islands (Mr. Joyce) as Chair of the Public Accounts Committee tabled a Report of the Public Accounts Committee noting that the Committee had not finished their deliberations when the 44th General Assembly was dissolved and recommended that the House refer the evidence adduced before their predecessor Committee before the current Committee.

The Honourable the Speaker (Mr. Hodder) tabled the Report of the Auditor General on the Audit of the Financial Statements of the Province of Newfoundland and Labrador for the fiscal year ended March 31, 2004.

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 Internal Economy Commission Act". (Bill No. 56)

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 Public Tender Act". (Bill No. 53)

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 the Province requesting the Government of Newfoundland and Labrador to pay down the accumulated debt and allow the amalgamated Grenfell

Tuesday, November 30th, 2004

Regional Health Board and Labrador Health Board to move forward with health care delivery in this region.

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 Bill entitled, "An Act To Amend The Motorized Snow Vehicles And All Terrain Vehicles Act" (Bill No. 45) was introduced and read a first time and on motion it was ordered that Bill No. 45 be read a second time presently by leave.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Pension Benefits Act, 1997" (Bill No. 52) was introduced and read a first time and on motion it was ordered that Bill No. 52 be read a second time on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Jury Act, 1991" (Bill No. 50) and on motion it was ordered that Bill No. 50 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Jury Act, 1991" (Bill No. 50) was read a second time and on motion it was ordered that Bill No. 50 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Revise Various Acts Of The Province With Respect To Certain Functions Of Justices Of The Peace" (Bill No. 49) and on motion it was ordered that Bill No. 49 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Revise Various Acts Of The Province With Respect To Certain Functions Of Justices Of The Peace" (Bill No. 49) was read a second time and on motion it was ordered that Bill No. 49 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 Motorized Snow Vehicles And All Terrain Vehicles Act" (Bill No. 45) and on motion it was ordered that Bill No. 45 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Motorized

Tuesday, November 30th, 2004

Snow Vehicles And All Terrain Vehicles Act" (Bill No. 45) was read a second time and on motion it was ordered that Bill No. 45 be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Insurance Companies Act" (Bill No. 48) and on motion it was ordered that Bill No. 48 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Insurance Companies Act" (Bill No. 48) was read a second time and on motion it was ordered that Bill No. 48 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Securities Act" (Bill No. 47) and on motion it was ordered that Bill No. 47 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Securities Act" (Bill No. 47) was read a second time and on motion it was ordered that Bill No. 47 be referred to a Committee of the Whole House presently.

It was agreed to stop the clock at 5:30 o'clock in the afternoon for about fifteen minutes in order to complete the work of the Committee of the Whole House.

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 and passed the Bill entitled, "An Act To Amend The Jury Act, 1991" (Bill No. 50).

The Committee of the Whole House considered and passed the Bill entitled, "An Act To Revise Various Acts Of The Province With Respect To Certain Functions Of Justices Of The Peace" (Bill No. 49).

The Committee of the Whole House considered and passed the Bill entitled, "An Act To Amend The Securities Act" (Bill No. 47).

The Committee of the Whole House considered and passed the Bill entitled, "An Act To Amend The Insurance Companies Act" (Bill No. 48).

Tuesday, November 30th, 2004

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

The Honourable the Minister of Health and Community Services (Mr. Ottenheimer) moved, seconded by the Member for Signal Hill-Quidi Vidi (Mr. Harris) the following amendment to Bill No. 35:

"That Clause 29 of Bill No. 35 be amended by deleting the proposed subsection 34.1(1) and by substituting the following:

"34.1(1) For the purpose of the administration of the Newfoundland and Labrador Prescription Drug Program, including for the purpose of processing, monitoring, verifying or reimbursing claims for payment under the program and program development and evaluation, and upon the request of an employee of the department authorized by the minister, a pharmacist shall provide the information that the employee requests with respect to prescription drugs prescribed to a resident of the province and received by the resident with the assistance of the Newfoundland and Labrador Prescription Drug Program.

(1.1) An employee of the department authorized to do so by the minister may provide the information obtained under subsection (1) to an agent of the department approved by the minister for the purpose who may use it for the purposes for which it was obtained on behalf of the minister."

The Chair ruled the amendment to Clause 29 of Bill No. 35 in order.

The Chair put the question on the amendment and declared the amendment carried.

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

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 Jury Act, 1991" (Bill No. 50);

Tuesday, November 30th, 2004

- 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).

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

On motion it was ordered that Bills No. 50, 49, 47 and 48 be read a third time presently by leave.

The Chairperson of the Committee of the Whole House (Mr. Fitzgerald) also reported that the Committee of the Whole House had considered the matters to it referred, had passed a Bill entitled, "An Act To Amend The Pharmaceutical Association Act, 1994" (Bill No. 35) with an amendment and asked leave to sit again.

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.

The amendment to Bill No. 35 having been read a first and second time, on motion it was ordered that Bill No. 35 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 Pharmaceutical Association Act, 1994" (Bill No. 35);
- 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).

On motion it was ordered that the said Bills be printed being entitled as above and

Tuesday, November 30th, 2004

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, Wednesday, December 1st at 2:00 o'clock in the afternoon.

On motion the House then adjourned at 5:45 o'clock in the afternoon.

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