

Thursday, December 16th, 2004

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

The Honourable the Speaker (Mr. Hodder) ruled on a point of privilege raised by the Member for Placentia & St. Mary's (Mr. Manning) on May 25th, 2004 following an incident which allegedly took place between the Member for Bellevue (Mr. Barrett) and the Member for Placentia & St. Mary's (Mr. Manning) following the adjournment of the House on May 20th. Having considered the available information and reviewed the video and audio tapes, the Speaker ruled that the Member failed to establish a *prima facie* case of privilege.

The Member for Bay of Islands (Mr. Joyce) made a Statement to recognize a group of young athletes from the Corner Brook/Bay of Islands Area who recently competed in the 2004 Elevation Madness Tournament in St. John's. The Member congratulated the Herdman Huskies Boys' Basketball Team which took first place in the tournament.

The Member for Trinity North (Mr. Wiseman) made a Statement to wish the Member for Burin-Placentia West (Mr. Jackman) a happy 50th birthday and continued good health.

The Member for Port de Grave (Mr. Butler) made a Statement to recognize and congratulate Mr. and Mrs. Joseph and Mabel Peddle of Spaniard's Bay who will soon celebrate their 65th wedding anniversary and Mr. and Mrs. Arthur and Elizabeth Young of Upper Island Cove who will soon celebrate their 62nd wedding anniversary.

The Member for Labrador West (Mr. Collins), on behalf of the Member for Signal Hill-Quidi Vidi (Mr. Harris), made a Statement to pay tribute and convey condolences to the family of the late Mr. Rick Morris, a prominent member of the Social Work Community of St. John's, who passed away at the age of forty six.

The Honourable the Minister of Transportation, Works and Aboriginal Affairs (Mr. Rideout) tabled the 2003-04 Annual Report of the Department of Transportation and Works.

The Honourable the Minister of Transportation, Works and Aboriginal Affairs (Mr. Rideout) jointly with the Honourable the Minister of Fisheries, Aquaculture and Labrador Affairs (Mr. Taylor) tabled the 2003-2004 Annual Report of the Department of Labrador and Aboriginal Affairs.

The Honourable the Minister of Tourism, Culture and Recreation (Mr. Shelley) tabled the following:

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- (a) the 2003-04 Annual Report of the Department of Tourism, Culture and Recreation;
- (b) the 2003-04 Annual Report of the Heritage Foundation of Newfoundland & Labrador;
- (c) the 2003-04 Annual Report of the Newfoundland and Labrador Arts Council;
- (d) the 2004 Annual Report of the Newfoundland and Labrador Film Development Corporation;
- (e) the Annual Report of the Board of Directors of the Newfoundland and Labrador Heritage Corporation for the fiscal year ended March 31, 2004; and
- (f) the 2004 Annual Performance Report of the Marble Mountain Development Corporation.

The Honourable the Minister of Environment and Conservation tabled the 2003-04 Annual Report of the Multi-Materials Stewardship Board (MMSB).

The Honourable the Minister of Natural Resources (Mr. Ed Byrne) tabled the following:

- (a) the Thirty-First Annual Report of the Newfoundland and Labrador Crop Insurance Agency for the fiscal year ended March 31, 2004;
- (b) the Activity Report of the Bull Arm Site Corporation for the period of April 1, 2003 to March 31, 2004;
- (c) the Annual Report of the Newfoundland and Labrador Livestock Owners Compensation Board for the fiscal year ended March 31, 2004; and
- (d) the 2003-04 Annual Performance Report of the Department of Natural Resources.

The Honourable the Minister of Natural Resources (Mr. Ed Byrne), on behalf of the Honourable the Premier (Mr. Williams), tabled the 2003-2004 Annual Performance Report of the Executive Council.

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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 Honourable the Government House Leader (Mr. Ed Byrne) moved pursuant to Standing Order 47 that the debate on Bill No. 61 entitled, "An Act To Amend The Liquor Corporation Act" standing in the name of the Honourable the Minister of Finance and President of Treasury Board shall not be further adjourned and that further consideration of any resolution or resolutions, clause or clauses, section or sections, Schedule or Schedules, preamble or preambles, title or titles, or whatever else might be related to debate in Committee of the Whole House respecting Bill No. 61 shall be the first business of the Committee when next called by the House, and shall not be further postponed.

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

The Committee considered and passed the Bill entitled, "An Act To Amend The Liquor Corporation Act" (Bill No. 61) without amendment.

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 and had passed the Bill entitled, "An Act To Amend The Liquor Corporation Act" (Bill No. 61) without amendment and asked leave to sit again.

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

On motion it was ordered that Bill No. 61 be read a third time presently.

The Honourable the Government House Leader moved pursuant to Standing Order 47 that the debate on Bill No. 61 entitled, "An Act To Amend The Liquor Corporation Act" standing in the name of the Honourable the Minister of Finance and President of Treasury Board and any amendments to that motion for Third Reading of Bill No. 61 shall

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not be further adjourned and that further consideration of any amendments relating to Third Reading of Bill No. 61 shall not be further postponed.

The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Liquor Corporation Act" (Bill No. 61) was read a third time and passed.

On motion it was ordered that Bill No. 61 be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

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 Honourable the Government House Leader moved pursuant to Standing Order 47 that the debate on Bill No. 45 entitled, "An Act To Amend The Motorized Snow Vehicles And All Terrain Vehicles Act" standing in the name of the Honourable the Minister of Tourism, Culture and Recreation shall not be further adjourned and that further consideration of any resolution or resolutions, clause or clauses, section or sections, Schedule or Schedules, preamble or preambles, title or titles, or whatever else might be related to debate in Committee of the Whole House respecting Bill No. 45 shall be the first business of the Committee when next called by the House, and shall not be further postponed.

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

The Committee continued consideration of and passed the Bill entitled, "An Act To Amend The Motorized Snow Vehicles And All Terrain Vehicles Act" (Bill No. 45) without amendment.

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 and had

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passed the Bill entitled, "An Act To Amend The Motorized Snow Vehicles And All Terrain Vehicles Act" (Bill No. 45) without amendment and asked leave to sit again.

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

On motion it was ordered that Bill No. 45 be read a third time presently.

The Honourable the Government House Leader moved pursuant to Standing Order 47 that the debate on Bill No. 45 entitled, "An Act To Amend The Motorized Snow Vehicles And All Terrain Vehicles Act" standing in the name of the Honourable the Minister of Tourism, Culture and Recreation and any amendments to that motion for Third Reading of Bill No. 45 shall not be further adjourned and that further consideration of any amendments relating to Third Reading of Bill No. 45 shall not be further postponed.

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

On motion it was ordered that Bill No. 45 be read a third time.

The House divided.

There appeared in favour of the motion: Mr. Williams, Mr. Edward Byrne, Mr. Ottenheimer, Ms Dunderdale, Mr. Rideout, Mr. Taylor, Mr. Tom Marshall, Mr. Hedderson, Mr. Sullivan, Mr. Shelley, Mr. Fitzgerald, Ms. Sheila Osborne, Mr. French, Mr. Tom Osborne, Ms. Whalen, Mr. Manning, Mr. Wiseman, Mr. Denine, Mr. O'Brien, Mr. Harding, Mr. Young, Mr. Jackman, Mr. Jim Hodder, Ms. Goudie, Mr. Skinner, Ms. Elizabeth Marshall, Mr. Ridgley, Mr. Collins.

Against: Mr. Grimes, Mr. Parsons, Mr. Butler, Mr. Barrett, Mr. Langdon, Ms. Thistle, Mr. Reid, Mr. Sweeney.

The Speaker declared the motion carried.

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 read a third time and passed.

On motion it was ordered that Bill No. 45 be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

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The Speaker recessed the House for a few minutes to await the arrival of His Honour the Lieutenant Governor.

The Sergeant-at-Arms announced the arrival of His Honour the Honourable Edward Roberts, Q.C. the Lieutenant Governor of Newfoundland and Labrador.

The Speaker left the Chair.

His Honour the Lieutenant Governor took the Chair.

The Speaker addressed His Honour the Lieutenant Governor as follows:

"It is my agreeable duty on behalf of Her Majesty's dutiful and loyal subjects, Her Faithful Commons in Newfoundland and Labrador, to present to Your Honour Bills for the appropriation of Supplementary Supply granted in the present Session."

Whereupon the Clerk read the following Bills:

A Bill, "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);

A Bill, "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 No. 2" (Bill No. 67).

His Honour the Lieutenant Governor then said, "In Her Majesty's Name, I thank Her Loyal Subjects, I accept their benevolence, and I Assent to these Bills".

The Speaker further addressed His Honour as follows:

"May it please Your Honour, the General Assembly of the Province has at its present Session passed certain Bills, to which, in the name and on behalf of the General Assembly, I respectfully request Your Honour's Assent."

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Whereupon the Clerk read the following Bills:

A Bill, "An Act To Amend The Workplace Health, Safety And Compensation Act (Bill No. 33);

A Bill, "An Act To Revise The Law About Veterinary Medicine" (Bill No. 34);

A Bill, "An Act To Amend The College Act, 1996 And The Memorial University Act" (Bill 42);

A Bill, "An Act To Amend The Municipalities Act, 1999" (Bill No. 37);

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);

A Bill, "An Act To Amend The Labour Standards Act" (Bill No. 38);

A Bill, "An Act To Establish The Fish Processing Licensing Board" (Bill No. 36);

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);

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- A Bill, "An Act To Amend The Fish Inspection Act" (Bill No. 57);
- A Bill, "An Act To Amend The House of Assembly Act And The Elections Act, 1991 (Bill No. 40);
- A Bill, "An Act Respecting Court Security" (Bill No. 54);
- A Bill, "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 63);
- A Bill, "An Act To Amend The Financial Administration Act No. 2" (Bill No. 60);
- A Bill, "An Act To Remove Anomalies And Errors In The Statute Law" (Bill No. 59);
- A Bill, "An Act To Amend The Law Society Act, 1999" (Bill No. 66);
- A Bill, "An Act To Amend The Pensions Funding Act, 1999" (Bill No. 62);
- A Bill, "An Act To Amend The Members Of The House Of Assembly Pensions Act " (Bill No. 68);
- A Bill, "An Act Respecting The Government Purchasing Agency" (Bill 41);
- A Bill, "An Act To Amend The Public Tender Act" (Bill No. 53);
- A Bill, "An Act To Enhance The Transparency And Accountability Of The Government And Government Entities To The People Of The Province" (Bill No. 39);
- A Bill, "An Act To Amend The Occupational Health And Safety Act" (Bill No. 64)
- A Bill, "An Act To Provide For the Registration of Lobbyists" (Bill No.

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A Bill, "An Act Respecting Labour-Sponsored Venture Capital Tax Credits" (Bill No. 58);

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

A Bill, "An Act To Amend The Motorized Snow Vehicles And All Terrain Vehicles Act" (Bill No. 45).

His Honour the Lieutenant Governor then said, "In Her Majesty's Name I Assent to these Bills".

His Honour the Lieutenant Governor addressed Members and wished all Members and their families Seasons Greetings.

His Honour the Lieutenant Governor then left the Chamber.

By leave and notwithstanding Standing Order 65, the Honourable the Government House Leader (Mr. Byrne) gave notice and by leave moved that the following Members comprise the Standing Orders Committee of the House of Assembly for the purpose of reviewing the Standing Orders:

The Honourable the Minister of Natural Resources (Mr. Ed Byrne), in his capacity as Government House Leader;

The Member for Burgeo & LaPoile (Mr. Parsons), in his capacity as Opposition House Leader;

The Member for Bonavista South (Mr. Fitzgerald), in his capacity as Deputy Speaker;

The Member for Humber Valley (Ms. Goudie);

The Member for Gander (Mr. O'Brien);

The Member for Port de Grave (Mr. Butler);

The Member for Signal Hill-Quidi Vidi (Mr. Harris);

The Honourable the Speaker (Mr. Hodder), as Chair of the Committee.

The Speaker put the question on the motion and declared the motion carried.

The Honourable the Premier (Mr. Williams), the Leader of the Opposition (Mr.

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Grimes), the Member for Labrador West (Mr. Collins), the Opposition House Leader (Mr. Parsons) and the Honourable the Government House Leader (Mr. Ed Byrne) thanked officials and the staff of the House and wished everyone Seasons Greetings.

The Honourable the Government House Leader (Mr. Ed Byrne) moved, "That when this House adjourns today, it stands adjourned until the call of the Chair. The Speaker, or in the absence from the Province the Deputy Speaker, may give notice and thereupon the House shall meet at the time and date stated by the notice of the proposed sitting. And I also move that this House do now adjourn".

The Speaker put the question on the above noted motions and declared the motions carried.

On motion the House then adjourned accordingly to the call of the Chair.

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