

Tuesday, May 10th, 2005

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

The Member for Lake Melville (Mr. Hickey) made a Statement to congratulate "Them Days" publication on the celebration of its 30th anniversary.

The Member for Carbonear - Harbour Grace (Mr. Sweeney) made a Statement to congratulate St. Francis School in Harbour Grace for bringing to fruition its state-of-the-art greenhouse.

The Member for Gander (Mr. O'Brien) made a Statement to recognize Mr. Howard Greene and Mr. Clayton Stratton of Gander who were recognized by the provincial Lifesaving Society for saving the life of Mr. Percy Chaytor.

The Member for Grand Bank (Ms. Foote) made a Statement to recognize Mr. Brian Keeping and Mr. Nicholas English who were among the top fifty inventors in Canada recognized for their efforts in the Scholastic Young Inventors' Contest.

The Member for Port de Grave (Mr. Butler) made a Statement to recognize Mr. Adam Lynch of Ascension Collegiate who won a speak off sponsored by the Dalton Assembly Fourth Degree Knights of Columbus.

The Honourable the Minister of Human Resources, Labour and Employment (Ms. Burke) made a Statement to inform the House of a new wage subsidy program entitled NL Works.

Because no copy of the statement had been provided in advance to the Opposition it was agreed that the Official Opposition and the NDP Opposition could make their responses later.

The Honourable the Minister of Natural Resources (Mr. Ed Byrne) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill, "An Act To Amend The Forestry Act" (Bill No. 32);

A Bill, "An Act To Amend The Canada-Newfoundland And Labrador Atlantic Accord Implementation Newfoundland And Labrador Act" (Bill No. 31).

The Member for Burgeo & La Poile (Mr. Parsons) gave notice that he would on tomorrow move the following Resolution:

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“WHEREAS the Speaker of the House of Assembly has not applied the rules of the House equally to all Members;

AND WHEREAS the Speaker of the House of Assembly has extended the power of his position without the authority of the House;

THEREFORE BE IT RESOLVED that this House of Assembly calls on the Speaker to operate within the confines of Standing Order 1(1) and 1(2) and convene the Standing Orders Committee when otherwise necessary.”

The Member for Burgeo & La Poile (Mr. Parsons) also gave notice that the above noted resolution would be debated on Private Members’ Day two weeks hence.

The Honourable the Minister of Transportation and Works and Minister Responsible for Aboriginal Affairs (Mr. Rideout) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, “An Act To Amend The Labrador Inuit Land Claims Agreement Act”. (Bill No. 28)

The Honourable the Minister of Municipal & Provincial Affairs (Mr. Jack Byrne) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, “An Act To Amend The Municipalities Act, 1999 And The Municipal Elections Act”. (Bill No. 29)

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 Aquaculture Act”. (Bill No. 19)

The Opposition House Leader (Mr. Parsons) gave notice of his intention to raise a point of privilege at a later date.

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. 25)

The Honourable the Minister of Finance and President of Treasury Board (Mr. Sullivan) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill, “An Act To Revise The Law Respecting The Guarantee Of Loans To Local Authorities” (Bill No. 23);

A Bill, “An Act To Revise The Law About Pensions For Members Of The House Of Assembly” (Bill No. 24).

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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 Insurance Companies Act". (Bill No. 27)

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". (Bill No. 26)

The Honourable the Minister of Natural Resources (Mr. Ed Byrne) on behalf of the Honourable the Minister of Justice and Attorney General (Mr. Marshall) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Law Society Act, 1999". (Bill No. 30)

The Member for Cartwright - L'Anse au Clair (Ms. Jones) presented a Petition on behalf of certain residents from her District calling upon the House of Assembly to urge Government to pay down the accumulated debt and allow Grenfell Regional Health Board and the Labrador Health Board to move forward, not backward with health care delivery in this region.

The Member for Trinity - Bay de Verde (Ms. Johnson) presented a Petition calling upon the House of Assembly to urge Government to impose production quotas only if it is agreed upon by the FFAW and the processors as recommended in the Dunne Report.

The Member for Exploits (Mr. Grimes) presented a Petition on behalf of certain citizens calling upon the Member (Mr. Harding) for Bonavista North to urge Government to end plans to implement crab production quotas for the crab industry.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition calling upon the House of Assembly to urge Government to impose production quotas only if it is agreed upon by the FFAW and the processors as recommended in the Dunne Report.

The Member for Fortune Bay - Cape La Hune (Mr. Langdon) presented a Petition calling on the House of Assembly to prevent FPI from taking the portion of its fish quota that has been traditionally processed in Harbour Breton, out of the community.

The Member for Grand Bank (Ms. Foote) presented a Petition calling upon the House of Assembly to urge Government to impose production quotas only if it is agreed upon by the FFAW and the processors as recommended in the Dunne Report.

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Pursuant to order and on motion the following Bills were introduced and read a first time:

A Bill, "An Act To Amend The Wild Life Act" (Bill No. 13);

A Bill, "An Act To Amend The Liquor Corporation Act" (Bill No. 18);

A Bill, "An Act To Revise The Law Respecting Smoking In Public Places And The Workplace" (Bill No. 20).

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

The Honourable the Government House Leader (Mr. Ed Byrne) moved that the House not adjourn at 5:30 o'clock in the afternoon and at 10 o'clock in the evening.

The Speaker put the question on the motions that the House not adjourn at 5:30 o'clock in the afternoon and at 10 o'clock in the evening.

The Speaker declared the motions carried.

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 a certain Resolution and a Bill entitled, "An Act To Amend The Tobacco Tax Act". (Bill No. 5)

The Committee of the Whole House considered and passed a certain Resolution and a Bill entitled, "An Act To Amend The Loan And Guarantee Act, 1957". (Bill No. 14)

On motion the Committee rose.

The Speaker (Mr. Hodder) resumed the Chair.

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The Chairperson of the Committee of the Whole House (Mr. Fitzgerald) reported that the Committee had considered the matters to it referred and had passed certain Resolutions and Bills consequent thereto and recommended that Bill No. 5 and Bill No. 14 be introduced to give effect to the Resolutions.

On motion the report of the Committee of the Whole House was received and adopted and on motion it was ordered that the Committee of the Whole have leave to sit again on tomorrow.

Pursuant to order and on motion the following Resolution was read a first and second time:

“That it is expedient to bring in a measure respecting the imposition of taxes on tobacco” (Bill No. 5).

Pursuant to order and on motion the Bill entitled, “An Act To Amend The Tobacco Tax Act” (Bill No. 5) was read a first, second and third time and passed.

On motion it was ordered that Bill No. 5 be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

Pursuant to order and on motion the following Resolution was read a first and second time:

“That it is expedient to bring in a measure further to amend The Loan and Guarantee Act, 1957, to provide for the advance of loans to and the guarantee of the repayment of bonds or debentures issued by or loans advanced to certain corporations” (Bill No. 14).

Pursuant to order and on motion the Bill entitled, “An Act To Amend The Loan And Guarantee Act, 1957” (Bill No. 14) was read a first, second and third time and passed.

On motion it was ordered that Bill No. 14 be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

Pursuant to order and on motion debate commenced on Second Reading of a Bill entitled, “An Act To Amend The Income Tax Act, 2000” (Bill No. 8) and on motion debate was adjourned for further debate on tomorrow.

The Speaker (Mr. Hodder) informed the House that the proceedings would not be televised in the evening because of the unavailability of satellite time. The Speaker

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informed the House that the proceedings would be televised tomorrow evening, May 11th.

Pursuant to order and on motion debate continued and concluded on Second Reading of a Bill entitled, "An Act To Amend The Income Tax Act, 2000" (Bill No. 8) and on motion it was ordered that Bill No. 8 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Income Tax Act, 2000" (Bill No. 8) was read a second time and on motion it was ordered that Bill No. 8 be referred to a Committee of the Whole House presently.

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 considered and passed the Bill entitled, "An Act To Amend The Income Tax Act, 2000" (Bill No. 8).

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, had passed the Bill entitled, "An Act To Amend The Income Tax Act, 2000" (Bill No. 8) 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. 8 be read a third time by leave.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Income Tax Act, 2000" (Bill No. 8) was read a third time and passed.

On motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

Pursuant to order and on motion debate commenced on Second Reading of a Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991, Teachers' Pensions

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Act And Uniformed Services Pensions Act, 1991" (Bill No. 9) and on motion debate was adjourned for further debate later in the evening.

By leave the proceedings were suspended at 5:30 o'clock for the dinner break.

The House resumed sitting at 7:00 o'clock in the evening.

Debate continued and concluded on Second Reading of a Bill entitled, "An Act To Amend The Public Service Pensions Act,1991, Teachers' Pensions Act And Uniformed Services Pensions Act,1991" (Bill No. 9) and on motion it was ordered that Bill No. 9 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Public Service Pensions Act,1991, Teachers' Pensions Act And Uniformed Services Pensions Act, 1991" (Bill No. 9) was read a second time and on motion it was ordered that Bill No. 9 be referred to a Committee of the Whole House presently.

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 a Bill entitled, "An Act To Amend The Public Service Pensions Act,1991, Teachers' Pensions Act And Uniformed Services Pensions Act,1991" (Bill No. 9).

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, had passed the Bill entitled, "An Act To Amend The Public Service Pensions Act,1991, Teachers' Pensions Act And Uniformed Services Pensions Act, 1991" (Bill No. 9), without amendment and asked leave to sit again.

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

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On motion it was ordered that Bill No. 9 be read a third time by leave.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991, Teachers' Pensions Act And Uniformed Services Pensions Act, 1991" (Bill No. 9) was read a third time and passed.

On motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

The Opposition House Leader (Mr. Parsons) rose on a point of order to enquire if a notice of motion standing in his name was an impediment to his placing another notice on the Order Paper.

The Speaker noted that the Member should advise the Clerk which motion he wished to leave on the Order Paper.

Debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Repeal The Literacy Development Council Act" (Bill No. 6) and on motion it was ordered that Bill No. 6 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Repeal The Literacy Development Council Act" (Bill No. 6) was read a second time and on motion it was ordered that Bill No. 6 be referred to a Committee of the Whole House presently.

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 a Bill entitled, "An Act To Repeal The Literacy Development Council Act" (Bill No. 6).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee of the Whole House (Mr. Fitzgerald) reported

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that the Committee of the Whole House had considered the matters to it referred, had passed the Bill entitled, "An Act To Repeal The Literacy Development Council Act" (Bill No. 6), 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. 6 be read a third time by leave.

Pursuant to order and on motion the Bill entitled, "An Act To Repeal The Literacy Development Council Act" (Bill No. 6) was read a third time and passed.

On motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Amend The Municipal Elections Act" (Bill No. 1) and on motion it was ordered that Bill No. 1 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Municipal Elections Act" (Bill No. 1) was read a second time and on motion it was ordered that Bill No. 1 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 City of Corner Brook Act, The City Of Mount Pearl Act, The Municipalities Act, 1999 And The St. John's Assessment Act" (Bill No. 15) and on motion it was ordered that Bill No. 15 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The City of Corner Brook Act, The City Of Mount Pearl Act, The Municipalities Act, 1999 And The St. John's Assessment Act" (Bill No. 15) was read a second time and on motion it was ordered that Bill No. 15 be referred to a Committee of the Whole House presently.

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 considered the Bill entitled, "An Act To Amend The Municipal

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Elections Act” (Bill No. 1).

The Member for Fortune Bay-Cape La Hune (Mr. Langdon) moved, seconded by the Member for Exploits (Mr. Grimes), the following amendment to Clause 1 of Bill No. 1:

“1. That Clause 1 of Bill No. 1 be amended by striking out the words “and his or her deposit is forfeited” from the proposed subsection 21.2(1).”

The Chair declared the amendment in order.

After some debate, the Chair put the question on the amendment and declared the amendment carried.

The Committee passed the Bill entitled, “An Act To Amend The Municipal Elections Act” (Bill No. 1) with an amendment.

The Committee of the Whole House considered and passed a Bill entitled, “An Act To Amend The City of Corner Brook Act, The City Of Mount Pearl Act, The Municipalities Act, 1999 And The St. John’s Assessment Act” (Bill No. 15) 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 Municipal Elections Act” (Bill No. 1) with an amendment.

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

The amendment to Bill No. 1 having been read a first and second time, on motion it was ordered that Bill No. 1 be read a third time presently.

Pursuant to order and on motion debate commenced and concluded on Third Reading of a Bill entitled, “An Act To Amend The Municipal Elections Act” (Bill No. 1). On motion the Bill was read a third time and passed.

On motion it was ordered that the said Bill 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 Chairperson of the Committee of the Whole House (Mr. Fitzgerald) further reported that the Committee of the Whole House had considered the matters to it referred, had passed the Bill entitled, "An Act To Amend The City of Corner Brook Act, The City Of Mount Pearl Act, The Municipalities Act, 1999 And The St. John's Assessment Act" (Bill No. 15), 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. 15 be read a third time by leave.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The City of Corner Brook Act, The City Of Mount Pearl Act, The Municipalities Act, 1999 And The St. John's Assessment Act" (Bill No. 15) was read a third time and passed.

On motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant Governor for His Assent.

Pursuant to order and on motion debate commenced and concluded on Second Reading of a Bill entitled, "An Act To Repeal The Investment Contracts Act" (Bill No. 12) and on motion it was ordered that Bill No. 12 be read a second time presently.

Pursuant to order and on motion the Bill entitled, "An Act To Repeal The Investment Contracts Act" (Bill No. 12) was read a second time and on motion it was ordered that Bill No. 12 be referred to a Committee of the Whole House presently.

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 considered and passed the Bill entitled, "An Act To Repeal The Investment Contracts Act" (Bill No. 12).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee of the Whole House (Mr. Fitzgerald) reported

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that the Committee of the Whole House had considered the matters to it referred, had passed the Bill entitled, "An Act To Repeal The Investment Contracts Act" (Bill No. 12), 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. 12 be read a third time by leave.

Pursuant to order and on motion the Bill entitled, "An Act To Repeal The Investment Contracts Act" (Bill No. 12) was read a third time and passed.

On motion it was ordered that the said Bill be printed being entitled as above and that it 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, May 11th, at 2 o'clock in the afternoon.

On motion the House then adjourned at 10:00 o'clock in the evening.

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