

Wednesday, May 23<sup>rd</sup>, 2007

The House met at 2:00 o'clock in the afternoon pursuant to adjournment.

The Member for Grand Falls-Buchans (Ms. Thistle) made a Statement to congratulate eight-year-old Alana Drover who donated her hair to be used for the making of wigs for cancer patients.

The Member for Conception Bay South (Mr. French) made a Statement to acknowledge the contribution of the Conception Bay South Volunteer Fire Department to the Town of Conception Bay South.

The Member for Carbonear-Harbour Grace (Mr. Sweeney) made a Statement to recognize Mr. Alec D. Moores of Harbour Grace who has just marked 70 years in the workforce.

The Member for Topsail (Ms. Marshall) made a Statement to congratulate Mr. Bob Dunham who was presented with a Commemorative Centennial Medal from Scouts Canada.

The Member for Humber Valley (Mr. Ball) made a Statement to congratulate Sarah White who recently received three prestigious awards at the 55<sup>th</sup> Annual Ceremonial Review and Inspection of Royal Canadian Sea Cadet Corps #73.

The Member for St. John's West (Ms. Osborne) made a Statement to congratulate the winners of the 2007 Canada Day Poster Challenge: Julie Pink, Jane Qi, Stephanie Tucker and Sonya Hass.

The Honourable the Minister of Transportation & Works and Labrador Affairs (Mr. Hickey) made a Statement to advise the House that Government are providing a weekly grant to permit two local vessels to provide temporary service until the M.V. Challenge 1 is able to reach Port Hope Simpson and Charlottetown.

Pursuant to order and on motion debate commenced on the following Resolution standing in the name of the Member for Cartwright-L'Anse au Clair (Ms. Jones):

**“WHEREAS** it has been revealed that there were error rates of 42% in estrogen and progesterone receptor tests of breast cancer patients conducted by Eastern Health and the circumstances surrounding the release of this information has shaken confidence in the health care system in this Province;

**AND WHEREAS** Cabinet Ministers were made aware of the problems being experienced with these tests at Eastern Health and may be in a potential conflict of interest in establishing terms of reference for any inquiry;

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**THEREFORE BE IT RESOLVED** that this House of Assembly supports the appointment of a judicial inquiry that is: independent, has broad terms of reference established with input from all parties in the House of Assembly, and has the power to investigate the actions of Cabinet Ministers and Department of Health officials into circumstances relating to faulty Estrogen and Progesterone receptor testing for breast cancer patients and the release of this information.”

During the debate the Member for Lewisporte (Mr. Rideout) moved, seconded by the Member for St. Georges-Stephenville East (Ms. Burke), that the resolution be amended as follows:

“by deleting all of the words contained in the second recital and

deleting the following words in the Resolution clause “established with input from all parties in the House of Assembly, and has the power to investigate the actions of Cabinet Ministers and Department of Health officials into” and substitute the following, “and has the power to investigate the actions of any and all individuals into circumstances relating to faulty Estrogen and Progesterone Receptor testing for breast cancer patients and the release of this information”.

so that the Resolution clause will now read:

**“BE IT RESOLVED** that this House of Assembly supports the appointment of a judicial inquiry that is independent, has broad terms of reference and has the power to investigate the action of any and all individuals into circumstances relating to the faulty Estrogen and Progesterone Receptor testing for breast cancer patients and the release of this information.”

The Speaker (Mr. Fitzgerald) suspended the proceedings at 3:18 o'clock in the afternoon to consider the amendment.

The Speaker (Mr. Fitzgerald) resumed the Chair at 3:30 o'clock in the afternoon.

The Speaker ruled the amendment in order.

Debate continued on the amendment to the Resolution and the Resolution itself.

During the debate on the Resolution and the amendment to the Resolution the Member for Burgeo & LaPoile (Mr. Parsons) moved, seconded by the Member for Twillingate-Fogo (Mr. Reid) the following amendment to the amendment:

“That the following be added to the end of the amendment;

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**“BE IT FURTHER RESOLVED** that Government allow the public to have input into the terms of reference of this judicial inquiry”.

:

The Speaker (Mr. Hodder) suspended the proceedings at 4:47 o'clock in the afternoon to consider the amendment.

The Speaker resumed the Chair at 4:49 o'clock in the afternoon and ruled the amendment to the amendment in order.

Debate continued and concluded on the amendment to the amendment, the amendment and the Resolution itself.

The Speaker (Mr. Hodder) put the question on the amendment to the amendment.

The House divided.

There appeared in favour of the motion: Mr. Reid, Mr. Parsons, Mr. Barrett, Mr. Langdon, Ms. Jones, Ms. Thistle, Mr. Andersen, Mr. Sweeney, Ms. Foote, Mr. Ball, Mr. Joyce, Ms. Michael.

Against: Mr. Rideout, Mr. Ottenheimer, Mr. Tom Osborne, Mr. Hedderson, Mr. Byrne, Mr. Wiseman, Mr. Fitzgerald, Mr. Harding, Mr. Oram, Ms. Burke, Ms. Whalen, Mr. Jackman, Mr. Hickey, Mr. O'Brien, Mr. French, Mr. Denine, Mr. Young, Mr. Hunter, Mr. Hutchings, Mr. Baker, Mr. Ridgley, Ms. Elizabeth Marshall, Mr. Forsey, Mr. Collins, Mr. Dinn, Mr. Cornect.

The Speaker declared the amendment to the amendment defeated.

The Speaker put the question on the amendment.

The House divided.

There appeared in favour of the motion: Mr. Rideout, Mr. Ottenheimer, Mr. Tom Osborne, Mr. Hedderson, Mr. Byrne, Mr. Wiseman, Mr. Fitzgerald, Mr. Harding, Mr. Oram, Ms. Burke, Ms. Whalen, Mr. Jackman, Mr. Hickey, Mr. O'Brien, Mr. French, Mr. Denine, Mr. Young, Mr. Hunter, Mr. Hutchings, Mr. Baker, Mr. Ridgley, Ms. Elizabeth Marshall, Mr. Forsey, Mr. Collins, Mr. Dinn, Mr. Cornect.

Against: Mr. Reid, Mr. Parsons, Mr. Barrett, Mr. Langdon, Ms. Jones, Ms. Thistle, Mr. Andersen, Mr. Sweeney, Ms. Foote, Mr. Ball, Mr. Joyce, Ms. Michael.

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The Speaker declared the amendment carried.

The Speaker put the question on the Resolution as amended.

The House divided.

There appeared in favour of the Resolution: Mr. Rideout, Mr. Ottenheimer, Mr. Tom Osborne, Mr. Hedderson, Mr. Byrne, Mr. Wiseman, Mr. Fitzgerald, Mr. Harding, Mr. Oram, Ms. Burke, Ms. Whalen, Mr. Jackman, Mr. Hickey, Mr. O'Brien, Mr. French, Mr. Denine, Mr. Young, Mr. Hunter, Mr. Hutchings, Mr. Baker, Mr. Ridgley, Ms. Elizabeth Marshall, Mr. Forsey, Mr. Collins, Mr. Dinn, Mr. Cornect.

Against: Mr. Reid, Mr. Parsons, Mr. Barrett, Mr. Langdon, Ms. Jones, Ms. Thistle, Mr. Andersen, Mr. Sweeney, Ms. Foote, Mr. Ball, Mr. Joyce, Ms. Michael.

The Speaker declared the Resolution as amended carried.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, May 24<sup>th</sup> at 1:30 o'clock in the afternoon.

On motion the House then adjourned accordingly.

**William MacKenzie,**  
Clerk of the House of Assembly.