

Thursday, December 5th, 2019

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

The Member for Ferryland (Mr. O'Driscoll) made a Statement to congratulate the organizers of the 10th Annual Calvert Masters Golf Tournament.

The Member for Humber – Bay of Islands (Mr. Joyce) made a Statement to congratulate Mrs. Lillian Mae Wells who will celebrate her 107th birthday on December 6th.

The Member for Mount Pearl – Southlands (Mr. Lane) made a Statement to congratulate Dave Bailey and Jon Kelly on their induction into the Mount Pearl Soccer Hall of Fame.

The Member for Grand Falls – Windsor (Mr. Tibbs) made a Statement to recognize Mr. Bruce Moores for his contribution to his community as a volunteer.

The Member for Fortune Bay – Cape La Hune (Mr. Loveless) made a Statement to recognize Mr. Ralph Coombs, recently featured in an episode of CBC's Land and Sea, who went to work as a lumberjack after retiring and at eighty-nine years of age continues to work with his chainsaw and maintains a positive outlook on life.

The Honourable the Minister of Transportation and Works (Mr. Crocker) made a Statement to inform the House that the Annual Christmas Lights Across Canada ceremony would take place this evening.

The Honourable the Minister of Natural Resources (Ms. Coady) made a Statement to inform the House about measures being taken by Government to strengthen the protection of the offshore environment.

By leave, the Member for St. John's East – Quidi Vidi (Ms. Coffin) tabled copies of emails she had received relating to the Mitchelmore Report.

The Honourable the Minister of Health and Community Services (Mr. Haggie) gave notice that he would on tomorrow ask leave to introduce a Bill entitled "An Act To Amend The Medical Care and Hospital Insurance Act" (Bill No. 20).

The Honourable the Minister of Service NL (Ms. Gambin-Walsh) gave notice that she would on tomorrow ask leave to introduce a Bill entitled "An Act To Amend The Highway Traffic Act" (Bill No. 21).

The Honourable the Minister of Health and Community Services (Mr. Haggie) gave notice that he would on tomorrow ask leave to introduce a Bill entitled "An Act To

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Amend Various Acts Of The Province Respecting The Publication Of A Summary of A Decision Or Order Of An Adjudication Tribunal” (Bill No. 22).

The Honourable the Minister of Service NL (Ms. Gambin-Walsh) gave notice that she would on tomorrow ask leave to introduce a Bill entitled “An Act Respecting The Protection Of The Health Of Persons Exposed To Radiation And Respecting The Safety Of Persons In Connection With The Operation And Use Of the Electrical And Mechanical Components Of Radiation Producing Equipment And Associated Apparatus” (Bill No. 23).

The Member for Topsail – Paradise (Mr. Dinn) presented a Petition from certain residents of the Province calling upon the House of Assembly to urge Government to eliminate the 1.6 km policy for all Elementary Schools in the Province and in Junior and Senior High Schools where safety is a primary concern.

The Honourable the Minister of Education and Early Childhood Development (Mr. Warr) replied to the Petition.

The Member for Harbour Main (Ms. Conway Ottenheimer) presented a Petition from certain residents of the Province calling upon the House of Assembly to urge Government to take the necessary steps of brush cutting on the Conception Bay Highway specifically Conception Harbour, Roaches Line and Hodge Water Line to ensure driver safety.

The Honourable the Minister of Transportation and Works (Mr. Crocker) replied to the Petition.

The Member for St. John’s Centre (Mr. Dinn) presented a Petition from certain residents of the Province calling upon the House of Assembly to urge Government to implement an immediate one-year moratorium on development in the Ragged Beach/Muldowney’s Lane area of Witless Bay to assess the significance of this area and develop a plan to protect the dark beach.

The Honourable the Minister of Municipal Affairs and Environment (Mr. Bragg) replied to the Petition.

The Member for Conception Bay East – Bell Island (Mr. Brazil) presented a Petition from certain residents of the Province calling upon the House of Assembly to urge Government to start the process for having ambulance health care professionals deemed an essential service under Labour Relations Legislation.

The Honourable the Minister of Health and Community Services (Mr. Haggie) replied to the Petition.

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The Member for Placentia West – Bellevue (Mr. Dwyer) presented a Petition from certain residents of the Province calling upon the House of Assembly to urge Government to consider adding the paving/upgrading of the side roads in Swift Current to the current road upgrade project.

Pursuant to order and on motion the following Bills were read the third time and passed:

A Bill, “An Act To Amend The Public Trustee Act, 2009” (Bill No. 11);

A Bill, An Act To Amend The Enforcement Of Canadian Judgements Act” (Bill No. 12).

On motion it was ordered that the said Bills be printed being entitled as above and that they be submitted to Her Honour the Lieutenant Governor for her assent.

Pursuant to notice and on motion the Bill entitled “An Act To Amend The Cannabis Control Act” (Bill No. 19) was introduced and read the first time and on motion it was ordered the said Bill be read the second time on tomorrow.

Pursuant to order and on motion debate continued on the Mitchelmore Report concurrence motion and on motion debate was adjourned for further debate presently.

The Honourable the Government House Leader (Ms. Coady) moved, pursuant to Standing Order 11(1), seconded by the Honourable the Minister of Children, Seniors and Social Development (Ms. Dempster), that the House not adjourn at 5:30 o'clock in the afternoon.

The Speaker put the question and declared the motion carried.

Debate continued on the Mitchelmore Report concurrence motion.

During the debate the Member for Conception Bay East – Bell Island (Mr. Brazil) moved, seconded by the Member for Conception Bay South (Mr. Petten), the following amendment:

(1) “By adding immediately after the word “Assembly” in the second clause a comma and the following:

“however the unprecedented finding by the Citizens’ Representative that the Member “grossly mismanaged his obligations” by violating five Principles of the Code of Conduct warrants a severe reprimand that is higher on the scale of punishments than a typical reprimand;

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AND WHEREAS the practices and precedents in this Honourable House in dealing with motions regarding reports and recommendations of the Commissioner for Legislative Standards regarding Code of Conduct contraventions provide that the House may amend a motion to intensify penalties under section 39 of the Act as it did repeatedly on November 6, 2018;" and

- (2) In the last clause, by deleting the word "recommendation" and substituting the word "report", and by adding immediately after the word "Assembly" the second time it appears the following:

"unequivocally, and orders further that the Member:

- (a) submit an unequivocal apology to this Assembly, in writing;
- (b) submit an unequivocal apology to the former and present Board members of the Rooms Corporation, in writing;
- (c) meet with the Commissioner for Legislative Standards to review the Code of Conduct for Members of the House of Assembly;
- (d) be suspended from the House of Assembly without pay for a period of two consecutive weeks when the House is next in session; and
- (e) make restitution to her Majesty in Right of Newfoundland and Labrador in the amount equivalent to one year's salary of a Minister of the Crown in this Province.

The Speaker suspended the proceedings at 4:28 o'clock to consider the amendment.

The Speaker resumed the Chair at 5:21 o'clock and ruled the amendment in order.

Debate continued on the amendment.

During the debate the Honourable the Minister of Fisheries and Land Resources (Mr. Byrne) moved the following sub-amendment:

"That the amendment to the Resolution respecting the Member for St. Barbe-L'Anse aux Meadows be amended by deleting paragraph 2(e)."

The Speaker suspended the proceedings at 6:01 o'clock to consider the sub-amendment and by leave for a brief dinner break.

The Speaker resumed the Chair at 6:38 o'clock and ruled the sub-amendment in order.

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Debate commenced and concluded on the sub-amendment.

The Speaker put the question on the sub-amendment.

The House divided.

There appeared in favour of the motion: Mr. Ball, Ms. Coady, Mr. Crocker, Mr. Haggie, Mr. Byrne, Mr. Andrew Parsons, Mr. Osborne, Ms. Dempster, Mr. Bennett, Mr. Davis, Ms. Haley, Ms. Gambin-Walsh, Mr. Mitchelmore, Mr. Warr, Mr. Bragg, Ms. Pam Parsons, Ms. Stoodley, Mr. Loveless, Mr. Trimper, Mr. Joyce.

Against: Mr. Crosbie, Mr. Brazil, Mr. Petten, Mr. Kevin Parsons, Mr. Wakeham, Mr. Lester, Mr. Dwyer, Ms. Evans, Ms. Conway Ottenheimer, Mr. Paul Dinn, Mr. Pardy, Mr. Parrott, Mr. O'Driscoll, Mr. Tibbs, Mr. Forsey, Ms. Coffin, Mr. James Dinn, Mr. Brown, Mr. Lane.

The Speaker declared the sub-amendment carried.

Debate continued on the amendment as amended.

The Speaker put the question on the amendment as amended.

By leave, the House recessed briefly at 8:47 o'clock in the evening.

The Speaker resumed the Chair at 9:01 o'clock.

The House divided.

There appeared in favour of the motion: Mr. Ball, Ms. Coady, Mr. Crocker, Mr. Haggie, Mr. Byrne, Mr. Andrew Parsons, Mr. Osborne, Ms. Dempster, Mr. Bennett, Mr. Davis, Ms. Haley, Ms. Gambin-Walsh, Mr. Mitchelmore, Mr. Warr, Mr. Bragg, Ms. Pam Parsons, Ms. Stoodley, Mr. Loveless, Mr. Trimper, Mr. Joyce.

Against: Mr. Crosbie, Mr. Brazil, Mr. Petten, Mr. Kevin Parsons, Mr. Wakeham, Mr. Lester, Mr. Dwyer, Ms. Evans, Ms. Conway Ottenheimer, Mr. Paul Dinn, Mr. Pardy, Mr. Parrott, Mr. O'Driscoll, Mr. Tibbs, Mr. Forsey, Ms. Coffin, Mr. James Dinn, Mr. Brown, Mr. Lane.

The Speaker declared the amendment as amended carried.

The Speaker put the question on the Resolution as amended.

The House divided.

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There appeared in favour of the motion: Mr. Ball, Ms. Coady, Mr. Crocker, Mr. Haggie, Mr. Byrne, Mr. Andrew Parsons, Mr. Osborne, Ms. Dempster, Mr. Bennett, Mr. Davis, Ms. Haley, Ms. Gambin-Walsh, Mr. Warr, Mr. Bragg, Ms. Pam Parsons, Ms. Stoodley, Mr. Loveless, Mr. Trimper, Mr. Forsey, Mr. Brown, Mr. Joyce.

Against: Mr. Crosbie, Mr. Brazil, Mr. Petten, Mr. Kevin Parsons, Mr. Wakeham, Mr. Lester, Mr. Dwyer, Ms. Evans, Ms. Conway Ottenheimer, Mr. Paul Dinn, Mr. Pardy, Mr. Parrott, Mr. O'Driscoll, Mr. Tibbs, Ms. Coffin, Mr. James Dinn, Mr. Lane, Mr. Mitchelmore.

The Speaker declared the Resolution as amended carried.

In accordance with the Resolution as amended, the Honourable the Minister of Advanced Education, Skills and Labour (Mr. Mitchelmore) apologized to the House in accordance with the recommendation of the Report of the Commissioner for Legislative Standards.

The Opposition House Leader (Mr. Crosbie), the Leader of the Third Party (Ms. Coffin), the Premier (Mr. Ball) and the Speaker (Mr. Reid) extended best wishes to the Members and staff of the House for the Christmas holidays.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, March 2nd at 1:30 o'clock in the afternoon.

On motion the House then adjourned accordingly.

Sandra Barnes,
Clerk of the House of Assembly.