



**2021/2022 SESSION
of the
BERMUDA SENATE
OFFICIAL HANSARD REPORT**

22 JUNE 2022

In Chambers

Sitting number 17 of the 2021/2022 Session

(pages 533–544)

**Sen. The Hon. Joan E. Dillas-Wright, MBE, JP
President**

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BERMUDA SENATE**OFFICIAL HANSARD REPORT****22 JUNE 2022****10:00 AM***Sitting Number 17 of the 2021/2022 Session*

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

The President: Good morning, Senators and the listening public.

The Senate is in session. Shall we pray?

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

CONFIRMATION OF MINUTES

[Minutes of 8 June 2022]

The President: Senator Michelle Simmons, Vice President, you have the floor.

Sen. Michelle Simmons: Good morning, Madam President, fellow Senators and the listening audience.

The President: Good morning to you.

Sen. Michelle Simmons: Madam President, I move that the Minutes of the meeting of Wednesday, the 8th of June 2022, be taken as read.

The President: Is there any objection to that motion?
No objection.

Sen. Michelle Simmons: Madam President, I move that the Minutes of Wednesday, the 8th of June 2022, be confirmed.

The President: Is there any objection to that motion?
No objection. The Minutes are confirmed.

[Minutes of 8 June 2022 confirmed]

The President: Thank you, Senator Michelle Simmons.

MESSAGES

The Clerk: There are no messages, Madam President.

The President: Thank you, Mr. Somner.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS**APOLOGIES**

The President: I would just like to say that we do have apologies from Senator John Wight and Senator Ben Smith, Opposition Leader in the Senate, who are abroad.

NOTICES OF MOTIONS

The President: We have two, and they are in the name of Senator Lindsay Simmons, Junior Minister for Home Affairs.

Senator Lindsay Simmons, you have the floor.

NORTH EAST HAMILTON LOCAL PLAN 2022**TRIBUNAL REPORT ON THE DRAFT
NORTH EAST HAMILTON LOCAL PLAN 2021**

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I hereby present for the consideration of Senate the North East Hamilton Local Plan 2022, together with the Tribunal Report on the Draft North East Hamilton Local Plan 2021, which is required to be approved by resolution of the Senate on the provisions of section 11(8) of the Development and Planning Act 1974. And I give notice that at the next day of meeting I will move that the said North East Hamilton Local Plan 2022 be approved.

The President: Thank you, Senator Lindsay Simmons. Do you have the second notice of motion?

[Inaudible interjection]

The President: Oh, I missed that, [you did it already]. Sorry. Thank you, Senator Lindsay Simmons.

Sen. Lindsay Simmons: Thank you.

PETITIONS

The President: There are none.

STATEMENTS

The President: There are none.

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

The President: There are none.

FIRST READING OF PRIVATE BILLS

The President: There are none.

QUESTION PERIOD

The President: There are none.

ORDERS OF THE DAY

The President: The first Order of the day is the second reading of the Land Valuation and Tax Amendment Act 2022. And this is in the name of Senator Arianna Hodgson, the Junior Minister for Finance.

Senator Hodgson, you have the floor.

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, I move that the Bill entitled the Land Valuation and Tax Amendment Act 2022 be now read a second time.

The President: Is there any objection to that motion?

No objection.

Carry on, Senator.

BILL

SECOND READING

LAND VALUATION AND TAX AMENDMENT ACT 2022

Sen. Arianna Hodgson: Thank you, Madam President. Madam President, I am pleased to present the Bill entitled the [Land Valuation and Tax Amendment Act 2022](#).

This Bill seeks to amend the Land Valuation and Tax Act 1967 to provide land tax relief to residential care facilities and nursing homes. It is estimated that this proposed change will provide land tax relief

totalling \$65,947 for the 12 residential care facilities and nursing homes currently not receiving relief.

Madam President, the relief provided by this Bill does not break new ground. In fact, Madam President, by an Order under the 1967 Act, Lefroy House, along with other properties, including those of the Bermuda National Trust and the Bermuda Audubon Society, were all made exempt from land tax. Further, Madam President, since 1975, Westmeath Care Home has also enjoyed an exemption from land tax. The relief provided by this Bill fulfils the Government's commitment to ensuring equity in the application of the laws that we pass.

Madam President, Senate Members may recall that during the Budget Statement delivered earlier this year the Honourable Premier and Minister of Finance announced the Government's intention to eliminate land tax from residential care facilities and nursing homes. As a Government, we promised relief now and more relief to come. And we are proud of our record of having recently reduced the cost of private licence fees by 10 per cent, instituted no across-the-board increase in Government fees, reduced payroll taxes for workers making less than \$96,000 for the third time since taking office in 2017, and rejected recent requests to increase the price of fuel.

However, Madam President, with that said, it is not lost upon us that more work is to be done. Like many other businesses, residential care facilities and nursing homes continue to face significant challenges brought on by the ongoing impact of the COVID-19 pandemic. These facilities continue to provide essential services to the community, and so it is imperative that we identify viable options of relief that will help to alleviate some of the financial pressure these facilities are now facing, while respecting the prescribed fiscal guardrails.

Madam President, this Bill will eliminate land tax for these facilities by excluding the underlying properties from the valuation list, which serves as the basis for land tax assessments. Only those residential care homes and nursing homes licensed in accordance with the Residential Care Homes and Nursing Homes Act 1999 will be eligible for relief from land tax pursuant to this Bill.

Madam President, it is important to note that residential care facilities and nursing homes are required to be licensed periodically by the Bermuda Health Council. A register of the licensed homes must be maintained by the Bermuda Health Council and made publicly available. An annual review of the register will be conducted by the Office of the Tax Commissioner to ensure that only those facilities that maintain a valid licence issued by the Bermuda Health Council will continue to benefit from tax relief.

Madam President, there are some who may say that this is not enough for our care homes. However, Madam President, that would ignore the fact of the additional support that the Government has given

to our care homes over the last two years during this pandemic. We have worked to assist these homes in difficult circumstances, and last week the Cabinet approved an additional grant boost to nursing homes who currently receive grants from the Ministry of Social Development and Seniors to stabilise their finances.

Madam President, in addition to this additional grant, the Cabinet has requested the Ministry of Health and the Ministry of Social Development and Seniors to update the 2017 Long Term Care [Action] Plan to ensure that our nursing homes will be on solid financial ground in the future. As our population ages, we must do all that we can to ensure that our seniors can live in dignity.

Madam President, in closing, let it be without question that the Bermuda Government reveres its seniors. As Gandhi pointedly articulated, “The true measure of any society can be found in how it treats its most vulnerable members.”

As a Government we kept our promise to our seniors by expanding home healthcare benefits. We kept our promise to our seniors to expand prescription drug coverage under FutureCare. We kept our promise to increase pensions for our seniors to keep up with inflation. We kept our promise to introduce interest-free loans for home modifications so our seniors can age while at home.

And with this Bill we keep yet another promise to provide more relief to Bermuda’s residents and businesses.

Thank you, Madam President.

The President: Thank you, Senator Arianna Hodgson, Junior Minister for Finance.

Would any Senator care to speak on this Bill?
Senator De Couto, you have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

Overall we certainly welcome this relief for the nursing homes, and we are pleased to support it. We know that this is an important move, especially taking care of our elderly, one of our important treasured resources. I certainly hope and look forward to the Government doing even more in this area. There is quite a lot to be done, and there are many people in our society who are suffering. So this is a good first step, and we look forward to more in this vein.

I believe I learned that this was worth around \$66,000 across 12 nursing homes. So I think that is around \$5,500 for each nursing home. So it is a good start, and we look forward to more being done.

Thank you, Madam President.

The President: Thank you, Senator De Couto.

Would any other Senator care to speak on this Bill?

Senator Michelle Simmons, Vice President, you have the floor.

Sen. Michelle Simmons: Thank you, Madam President.

I just want to add my support to this Bill. It is certainly welcomed by the residential care facilities. It is welcomed by members of the community who are clients of those facilities. Hopefully, it will go a long way, or go some way, to helping those facilities to plan for the future. Because right now I know many of them are struggling.

So, well done to the Government for bringing this forward as promised! And yes, I agree there is more that can be done. But we have to be aware of the needs throughout the community as Government addresses its social programme.

Thank you, Madam President.

The President: Thank you, Senator Michelle Simmons.

Would any other Senator care to speak on this Bill?

Senator Robin Tucker, you have the floor.

Sen. Robin Tucker: Thank you, Madam President.

I would just like to join with my Senate colleagues in their sentiments as it relates to—clearly this is a contribution. So any contribution is a good contribution. I would also like to reiterate that more should definitely be done. I mean, as we have heard from—we have all heard at different times about the fact that we have an ageing population. And the numbers of people, there are approximately 25 per cent of our population who are going to be at retirement age by 2026, which is for all intents and purposes around the corner. So I would hope that the Government is looking more closely at other initiatives that can be done that can also help to support our seniors as more people are added to those numbers.

Thank you, Madam President.

The President: Thank you, Senator Robin Tucker.

Would any other Senator care to speak on this Bill?

Hearing none, then, Senator Hodgson, it is over to you.

Sen. Arianna Hodgson: Thank you, Madam President.

Madam President, I move that [Standing Order] 26 be suspended in respect to this—

The President: Do the second reading first.

Sen. Arianna Hodgson: Sorry, Madam President.

I move that the Bill entitled the Land Valuation and Tax Amendment Act 2022 be now read a second time.

The President: Is there any objection to that motion?
No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Arianna Hodgson: Thank you, Madam President.

I move that [Standing Order] 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?
No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill entitled the Land Valuation and Tax Amendment Act 2022 be now read a third time.

The President: Is there any objection to the third reading?
No objection.

BILL

THIRD READING

LAND VALUATION AND TAX AMENDMENT ACT 2022

Sen. Arianna Hodgson: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill entitled Land Valuation and Tax Amendment Act 2022 do now pass.

Is there any objection to that motion?

No objection.

The Bill is passed.

[Motion carried: The Land Valuation and Tax Amendment Act 2022 was read a third time and passed.]

The President: Thank you, Senator Arianna Hodgson, and thank you all, Senators.

We will now move on to the second item on our Orders of the Day, and this is the Electricity Amendment Act 2022. And this is in the name of Senator Lindsay Simmons, Junior Minister for Home Affairs.

Senator Lindsay Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I move that the Bill entitled the Electricity Amendment Act 2022 be now read a second time.

The President: Is there any objection to that motion?
No objection.

BILL

SECOND READING

ELECTRICITY AMENDMENT ACT 2022

Sen. Lindsay Simmons: Thank you. Madam President, I rise to introduce for the second reading the Bill entitled the [Electricity Amendment Act 2022](#). The Bill seeks to introduce a new type of licence, an innovative licence, thus providing a regulatory sandbox for testing innovative energy technologies.

Madam President, before the onset of COVID-19 and the economic challenges that followed in the wake of this, the Government recognised the need to find ways in which both local entrepreneurs and foreign investors could be attracted to establish business in Bermuda. The stress that the events of the past two years have brought upon Bermuda has made efforts to encourage innovative investors an imperative for this Government.

Madam President, the Electricity Act of 2016 was written specifically to exclude innovators at that time due to the potential magnitude of risk to our grid and consequently to Bermuda's residents and businesses. This was with good reason, as the independent regulator could not yet have had the capacity to evaluate any potential newcomers and avoiding risk altogether was a prudent action. The Regulatory Authority (RA) has now been operating for almost five years in the electricity sector, and more than nine years independently regulating the electronic communications sector. It is a natural progression, therefore, to entrust the regulation of the evolution of the electricity sector to the RA as we move forward in achieving the goals of the Integrated Resource Plan.

Madam President, to achieve a meaningfully different result from the status quo of fossil fuel generated electricity, there had to be a meaningfully different framework. Bermuda cannot hope for a low-carbon future while holding on to the framework that supported mostly fossil fuel generated electricity. Excluding advancements in the renewable energy sphere like floating wind, floating solar and ocean wave technology would mean that the only means by which Bermuda's electricity can be generated is limited to the handful of tried-and-true solutions, some of which may not be suitable for our Island setting.

Madam President, recently, credible innovators have been approaching Bermuda seeking to develop innovative solutions for electricity generation offshore in our ocean, ranging from floating solar, pho-

tovoltaic arrays, floating offshore wind and ocean wave technologies. Any of these innovations could be game changers for the future of electricity generation in Bermuda. If proven to be not only operationally feasible, but economically viable, attracting innovators means attracting investment and the potential for creating jobs, which is something we must all do our part to achieve in these challenging economic times.

Madam President, however, in no way should the stability of the electricity grid ever be put at risk. Bermuda's very prosperity has depended historically on a stable and reliable electricity service, providing energy to our international business sector and our tourism sector alike. Plainly stated, risking grid stability puts the reputation of Bermuda at risk.

Madam President, I must emphasise that these amendments do not fling open the gates, but rather provide a measured and structured manner in which these innovators might introduce their technologies. Under the proposed amendment, innovators will be subject to scrutiny to ensure their credibility as developers and will have to meet a series of requirements before being allowed to connect to the grid. Provided those requirements are met, the innovators will have the opportunity to test their innovative technologies in Bermuda. These proposed amendments, with the proper safeguards, [will] not only invite energy investors to Bermuda, but may also help in lowering the overall cost of electricity, thereby also having an indirect effect on increasing Bermuda's appeal to investors in other areas which require large amounts of electricity.

Madam President, the Ministry of Home Affairs and the Regulatory Authority have been in discussions over the past year to assess what policy changes needed to be framed by amendments to allow for such a sandbox. Currently, no exceptions can be made to the requirements for a licence for any operators in Bermuda. These proposed sandbox amendments would allow for a different process, one that embraces innovation and introduces a special type of licence for novel solutions, namely, an innovator's licence. This licence is for a finite period, long enough to prove viability.

Madam President, it is not enough for an innovator to merely experiment. However, it is also necessary for an innovator to prove commercial viability. Therefore, holders of innovator's licences will also need to be able to interconnect to the grid, provide technical requirements to do so [and prove that they] are met. Holders of innovators' licences will be allowed to test, prove and eventually market their development to the Bermuda public in accordance with the Integrated Resource Plan to provide alternatives to the current fossil fuel generated power.

Madam President, the rigour of this process goes from inception to end of life, as innovators would hold licences that would have conditions. For example, if the innovator is unsuccessful in proving their

technology, the Bill provides that the developer will be obliged to remove and dispose of the equipment. On the other hand, if the technology proves itself well commercially, the amendments allow that it be used to meet the goals of the Integrated Resource Plan.

Madam President, it can be confusing and time-consuming for a foreign investor to navigate through the various departments to secure all of the necessary permits or authorisations. These amendments allow for the RA to be the primary and central point of contact through which all permits are obtained. This is a one-stop shop. [This concierge] approach makes it easy and attractive for innovators, both foreign and local, to explore the possibilities of their technology in the local setting. Fees will also be collected, aligned with those used for the submarine communication sector, since most development will likely be in our near or offshore exclusive economic zone.

Madam President, concerns have been raised about obtaining the independent environmental assessment that would also require public consultation. The Bill actually enshrines this requirement in the legislation. There have also been concerns raised about the impact on our environment and delicate biodiversity. Senators will remember in Minister Roban's November 2021 press conference introducing Seabased Limited, he spoke to the [significant discussions] that were undertaken by the Department of Environment and Natural Resources (DENR) to identify any area that could be used to test wave technology. That information bears repeating: DENR held multiple consultations with stakeholders, including the Ministry of Transport, the Ministry of Public Works, the Marine Resources Board and the Commercial Fisheries Council. DENR had to ensure that the location would provide the needed amount of wave energy, produce minimal disruption to shipping lanes, strike a balanced approach with the fishing industry in that area, have no impact on whales that may be migrating through the area or on areas where commercially important fish species may spawn, not harm protected species, including coral and seagrass and avoid impact to the marine heritage.

Madam President, I would also like to take the opportunity to remind the public about the Throne Speech commitment that the Government will be introducing a Marine Development Bill. The proposed Act, which is being progressed by the Bermuda Ocean Prosperity Programme, will include a marine spatial plan similar to the Bermuda plan that will (1) protect 20 per cent of our exclusive economic zone; and (2) identify areas that can introduce sustainable industries such as renewable energy. I stress this point to remind Senators that our endeavours to attract new investors and developers will require environmental impact assessments both on our land and in our ocean.

Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: Before I open the floor to Senators to comment, I would just like to acknowledge the presence in the Chamber of the Permanent Secretary for Home Affairs, Ms. Rozy Azhar; as well as the Director of Energy, Ms. Jeane Nikolai.

Thank you, and welcome to you both.

[Electricity Amendment Act 2022 second reading debate, continuing]

The President: Would any Senator care to speak on this Bill?

Senator Robin Tucker, you have the floor.

Sen. Robin Tucker: Thank you, Madam President. First I would like to thank the Junior Minister for bringing this Bill to us today, which amends the principal Act, otherwise known as the Electricity Act 2016.

We clearly are all affected by the high cost of energy, particularly as it relates to electricity, not only in Bermuda but in other jurisdictions as well. I can say, and I am happy to say that the Opposition is in support of this Bill, which focus is the support and expansion of innovation in the electricity sector by creating an environment whereby new technologies may be developed and tested in Bermuda. That is a big deal, and it is an exciting thing. It is a positive thing that ensuring that the right environmental and other conditions already mentioned by the Junior Minister in Bermuda—that Bermuda can open itself to becoming a test bed for unlocking technological innovations with the licences issued by the Regulatory Authority after it is satisfied that all of the criteria have been met.

The Bill also allows for licensees to be able to create a new electrical generating system that can dismantle the electricity generating industry as we know it. That potential is there for what this Bill is doing. And it has potential to give rise to technologies that will have a positive impact on the planet and increase electrical system efficiencies, and hopefully give birth to a new industry for and in Bermuda. And once a successful technology is created, it can lend hopefully to reducing costs for Bermuda.

I do have a couple of questions. I would like to know if the Junior Minister can tell us if there are any individuals or companies that have already expressed a serious interest or commitment to testing their technologies in Bermuda and are anxiously awaiting the legislation to be passed?

Can I ask all of my questions, or do you want me to just wait?

The President: No. You have three?

Sen. Robin Tucker: Yes.

The President: Yes. You can ask all of your questions.

Sen. Robin Tucker: Okay. Thank you.

My second question is whether the Junior Minister can just clarify, maybe just for me, but if she can just clarify whether the Regulatory Authority will have sole responsibility for revoking any licences if the licensee fails to meet requirements?

The third question is, Will there be continual oversight by the Regulatory Authority or any other entity for the lifetime that the licence is granted to ensure that the applicant continues to meet requirements?

Thank you, Madam President.

The President: Thank you, Senator Robin Tucker.

Would any other Senator care to speak on this Bill?

Minister Peets, Senate Leader.

Sen. the Hon. Dr. Ernest Peets: Yes, thank you, Madam President. I certainly want to thank the Junior Minister, as well as the substantive Minister and the entire Ministry for this particular Bill.

I think this type of conversation and this type of action on behalf of the Government really sort of encapsulate the desires and wishes of all Bermudians, both old and young alike. So I am really, really glad to be a part of this particular process as it relates to the Government's commitment to shaping Bermuda as a centre for innovation. This is a huge deal for our country as it relates to the opportunity that we have in this particular sector, and we certainly want to do everything we can to encourage our energy technology developers to our shores. This sandbox regulatory amendment certainly opens up the opportunity for these innovative companies to really bring Bermuda to the forefront as relates to these technologies.

So overall, Madam President, this type of legislation aligns with Government's effort to reduce energy costs for the country. I personally believe we certainly need more solutions like this to help us to move away from our dependence on fossil fuels as it relates to the environment, as it relates to the costs, et cetera, et cetera.

So, thank you to the Ministry, thank you to the Junior Minister for a comprehensive brief. Thank you.

The President: Thank you, Minister Peets, Government Leader in the Senate.

Would any other Senator care to speak?

Senator Michelle Simmons, Vice President, you have the floor.

Sen. Michelle Simmons: Thank you, Madam President.

I would also like to thank the Junior Minister for her presentation this morning and also state that, while it is really, really critical to look at ways to reduce the cost of electricity generation in Bermuda, I think it is also quite commendable to be looking at innovative ways of reducing our carbon footprint.

That to me is a really important deal, especially since we see the after-effects in the neighbourhood in which our chief electrical generation plant operates. We hear constantly from people who live in the neighbourhood about how their lives have been impacted by the fallout from the burning of heavy industrial oil. And any way of reducing the impact on the environment would be welcomed by me.

So I am really glad to see that we would like to attract innovators to our shores to help us to do two things, to reduce the cost of electricity, and also to reduce our carbon footprint—two important deals. And I commend the Government for bringing this forward.

Thank you, Madam President.

The President: Thank you, Senator Michelle Simmons, Vice President.

Senator De Couto, I recognise you. You have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

Like those who have spoken before me, especially my colleague, Senator Tucker, [I am] certainly in support of this welcome innovation. Anything to reduce our reliance on imported oil is going to be vital to help our economy. This is a costly reliance on sending money overseas, and it certainly impacts individuals' pocketbooks in the entire economy. So this is a great innovation. And we also know with global inflation coming, the benefits of this innovation will be even greater, especially for those for whom the energy consumption is a larger portion of their pocketbook at the lower end of the economic ladder.

So certainly supporting this, I would also encourage the Government to please keep supporting and encouraging the tried-and-true techniques such as the existing techniques of solar power generation and find ways to expand the usage of that, especially for those on the lower end of the economic spectrum who will in fact benefit the most from it. I echo Senator [Michelle] Simmons's comments on the benefit of this to the environment as well. I probably will not harp much more on that.

I do have a few questions to follow on from my colleague's. I would like to understand how we will invite proposals into this innovation framework, for example, whether it be an RFP [request for proposal]. Where will that be published? How will we advertise that? And how will we provide access to the process of getting into this innovation framework? I think equal

access and transparency of that will be important to make sure we get the widest possible set of people coming into this.

I do have a bit of a question. This is my section question if you do not mind, Madam President.

I know that the Bill addresses things such as environmental clean-up, or getting rid of your stuff when you're done with the experiment. I hope that we end up in a place where these experiments end up being not just useful for the people running the innovation experiment, who will then learn and then go and take it to another, larger market, but that ultimately [it] ends up working out in the long term for Bermuda's benefit. And I wonder if the Junior Minister could comment on how that is going to be handled, above and beyond strictly cleaning up of equipment and the environment.

So in short, a few questions, but support. Thank you, Madam President.

The President: Thank you, Senator De Couto.

Would any other Senator care to comment or ask questions?

Hearing none, then we will just wait until Senator Simmons gets her responses from the Permanent Secretary and Director.

[Pause]

Sen. Lindsay Simmons: Madam President, I will answer Senator Tucker's questions first. So, yes, Sea-based has expressed interest. That was stated last year by Minister Roban. But they are subject to qualify for the licence just like anybody else. And yes, only the RA [Regulatory Authority] can revoke licences. The third question you asked, yes. The monitoring will be ongoing as it is for other such licences.

Thank you, Madam President, and I will get the other answers for you.

[Pause]

Sen. Lindsay Simmons: So, Madam President, to answer about how we would invite proposals, companies can approach government, but they have to go through a rigorous process of evaluation. The BDA [Bermuda Business Development Agency] will promote this, and the RA will support it.

For the next question, in these cases of those who have approached, they will look to provide power to Bermuda. Each case is different. The IRP [Integrated Resource Plan] will allow them to change to participate. Thank you, Madam President.

The President: Thank you, Senator Lindsay Simmons.

Were there any supplementary questions from anyone? No.

Then, Senator Lindsay Simmons, then you will do your second reading.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I move that the Bill entitled the Electricity Amendment Act 2022 be now read a second time.

The President: Is there any objection to that motion?
No objection.

SUSPENSION OF STANDING ORDER 26

Sen. Lindsay Simmons: Madam President, I move that [Standing Order] 26 be suspended in respect to this Bill.

The President: Is there any objection to that motion?
No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. Lindsay Simmons: Madam President, I move that the Bill entitled the Electricity Amendment Act 2022 be now read a third time.

The President: Is there any objection to the third reading?
No objection.

BILL

THIRD READING

ELECTRICITY AMENDMENT ACT 2022

Sen. Lindsay Simmons: Thank you.
Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill entitled the Electricity Amendment Act 2022 do now pass.
Is there any objection to that motion?
No objection.
The Bill has passed.

[Motion carried: The Electricity Amendment Act 2022 was read a third time and passed.]

The President: Thank you, Senator Lindsay Simmons and to all Senators who participated.

We will now move on to our third item from the Orders of the Day, and this is consideration of the draft Lease Agreement between the Government of Bermuda (Ministry of Public Works) and Gorham's Limited. And this is in the name of Senator O. K. Darrell, the Junior Minister for Public Works.

Senator Darrell, you have the floor.

Sen. Owen Darrell: Thank you, Madam President.
Good morning.

The President: Good morning.

Sen. Owen Darrell: Madam President, I move that the Senate do now take under consideration the draft Lease Agreement between the Government of Bermuda (represented by the Ministry of Public Works) and Gorham's Limited regarding areas of all of the property shown hatched in red on the plan labelled Sheet number 4533-008-10, dated the 27th of January 2020, which is attached to the Lease Agreement.

The President: Is there any objection to that motion?
No objection.
Senator Darrell, carry on.

AGREEMENT

DRAFT LEASE AGREEMENT BETWEEN THE GOVERNMENT OF BERMUDA (MINISTRY OF PUBLIC WORKS) AND GORHAM'S LIMITED

Sen. Owen Darrell: Madam President, thank you.

Madam President, Honourable Members of the Senate, I introduce the [leasing agreement](#) between the Bermuda Government and Gorham's Limited for the period of 99 years.

Madam President, in the 2020 election platform the Government promised to support our local community and sporting clubs in upgrading their respective facilities. I am here to say that this is just one step of the many to accomplish this goal.

Madam President, honourable colleagues of the Senate may recall in February of 2021 the Government announced the leasing of a strip of land bordering the St. John's field and Gorham's Limited yard. This agreement is another example of when both the Government and the business sector work together we can manifest substantial benefits for the community at large.

Madam President, as the lease details, Gorham's has agreed to spend \$350,000 to regrade and resurface the Government's adjoining St. John's field which includes flood prevention, suitable water catchment and a minimum regulatory playing area for recreational sporting activities. Gorham's has further agreed to donate a minimum of \$150,000 towards the renovation or rebuilding of the existing clubhouse on said field, more commonly known as Western Stars Sports Club.

To provide technical resources to assist with the preparation of plans and drawings including engineering plans and reports as necessary for the construction of a new boundary wall on the adjoining property with the value of such resources and related items to be a maximum of \$45,000.

To assist the tenants of the adjoining property with the design and costing of additions to the existing clubhouse on the adjoining property or new related construction including design options, quantity surveying and the establishment of a workable budget for the same with a value of such assistance to be a maximum of \$7,500.

And to assist with promotional efforts, marketing and contact with other relevant organisations to secure funding for the facilities and the operation of the community and sporting programmes of the tenants of the adjoining property with a value of such assistance not to exceed \$5,000.

Simply put, Gorham's has committed to an amazing \$557,500 to support one of the area's community clubs.

Madam President, in turn, the Government leases a portion of the land adjacent to Gorham's measuring a total area of 0.61 acres for 99 years. This land will be paved over with asphalt to improve access to the store, thus improving service for its customers and the community.

Madam President, this agreement truly supports this administration's ideal of a progressive society. I would first like to thank the board of directors and the management of Gorham's Limited who, without them, this would not be possible. I would also like to thank the board of Western Stars Community Club and all of the technical officers who have worked tirelessly on this initiative. Thank you, Madam President.

The President: Thank you, Senator Owen Darrell.

Would any Senator care to speak on this lease agreement?

Senator De Couto, you have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

We are certainly pleased to support this initiative. We see that it is a win-win approach to furthering sport in Bermuda. We certainly know that the Government is very tight on funds and does not have many funds to spare. So I congratulate their creativity in allowing Gorham's to support the sports club in this way and to get a benefit themselves. I certainly look forward to seeing the Western Stars Field in action and busy with training and competition as we drive by.

Thank you.

The President: Thank you, Senator De Couto.

Would any other Senator care to speak on this lease agreement?

Senator Michelle Simmons, Vice President, you have the floor.

Sen. Michelle Simmons: Thank you, Madam President.

I will be very brief. I too would like to support this lease agreement between the Government and

Gorham's. It is a wonderful, wonderful idea. We can see clearly how the community will benefit. We see that Gorham's will benefit. So it is a win-win. It is very impressive that a private entity is willing to commit \$557,000 to assist their neighbour, a sports club. And I would just like to encourage other entities in the community that have resources that can be used to support the rebirth or the rejuvenation of some of our local organisations to do so. Step up! Step forward. I am sure your overtures will be well received.

So, thank you to Gorham's. Thank you to the Government for this innovative plan.

Thank you, Madam President.

The President: Thank you, Senator Michelle Simmons.

Would any other Senator care to speak on this lease agreement?

Hearing none, then it is over to you, Senator Darrell.

Sen. Owen Darrell: Madam President, I move that the said draft lease agreement be approved.

The President: Is there any objection to that motion?

There is no objection.

The lease agreement is approved.

[Motion carried: The draft Lease Agreement between the Government of Bermuda (Ministry of Public Works) and Gorham's Limited was considered and approved.]

The President: Thank you, Senator Darrell, and thank you, all Senators who have participated.

We will now move on.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: The floor is open.

Sen. the Hon. Dr. Ernest Peets: Yes, Madam President.

The President: Minister Peets, you have the floor.

Sen. the Hon. Dr. Ernest Peets: Yes, thank you, Madam President.

All of us are aware, of course, of the passing of Sister Olga Scott, wife of former Premier Alex Scott, mother to Robyn Eve and our beloved Minister Lawrence Scott, Minister of Transport. We certainly invite Senate to join with me in sending our prayers and

condolences to the family. I did not know her really, really well, but I have met her of course over her illustrious career on a few occasions. She was beloved by all. And in the words of our current Premier, she was a “kind and compassionate woman” who “exemplified the . . . essence of public service.” So certainly on behalf of the Government Senate team and my entire family, I certainly want to wish condolences and best wishes and sympathies during this time to the Scott family.

The President: Thank you, Minister Peets.

Would any other Senator care to speak?

Senator Michelle Simmons, you have the floor.

Sen. Michelle Simmons: Thank you, Madam President.

I would like to join with Minister Peets in extending condolences to the family of the late Mrs. Olga Scott, OBE. She came to Bermuda in 1967 specifically to spearhead a youth development programme. We knew it by its initials, YHED—Youth, Health, Education and Development. The focus of the programme was really to try and help the young people of Bermuda to focus on things which would benefit them in the long term in their lives. Really, it was a programme where she had to win the trust of the entire community in order for this family planning educational programme to be successful. It was difficult, but she did, she won the support of the community.

I think one of the huge benefits of the YHED programme was that young people who found themselves in the family way could return to school and complete their education. But to do that, Mrs. Scott had to enlarge the staff of YHED. She had to seek volunteers. And all of this, over a 21-year period as Executive Director, was her passion. She continued to serve the board at YHED, which eventually became Teen Services. And I believe there is a 50-year track record there of service. So the community has lost a very valuable contributor, but the Scott family has lost their matriarch.

I always found Mrs. Scott to be very dignified, principled, compassionate, caring. And it is so true that her work in this community changed many lives. So I pray that her family can find some peace in knowing that her contributions have made a difference, although that will not take the sting of her loss away.

Madam President, I would also like to extend condolences to the family of one of my classmates. He was well-known in the community, probably best known in the City of Hamilton, because this is where he lived for most of his life. And this is where many of us had a chance to interact with him. I am referring to Keith Clarence McDonald Gordon. He was my classmate at Central School and also at the Berkeley Institute. Our lives were kind of on a parallel because Keith grew up on Victoria Street, and I grew up on

Church Street. And we could look across at each other's houses. He was witty. He was intelligent, always wanting to stop and have a chat.

My last encounter with him was in Fagan's Alley just around the time of his 70th birthday. And it was such a pleasure to be able to stop and have a chat with him about things that we remembered from our schooldays.

I would ask that we extend condolences to his family, all of his siblings, his daughter and especially two of his sisters who have had prominent roles in the community, former Premier Dame Pamela Gordon Banks, and also the Honourable Patricia Gordon-Pamplin. Thank you, Madam President.

The President: Thank you, Senator Michelle Simmons.

Would any other Senator care to speak?

Yes, Senator Rev. Dill, you have the floor, Dr. Emilygail Dill.

Sen. Rev. Dr. Emilygail A. Dill: Good morning.

The President: Good morning.

Sen. Rev. Dr. Emilygail A. Dill: Thank you, Madam President.

I would like to take the opportunity this morning to congratulate Ms. Suzette Harvey and the United Dance Productions on their 30-year anniversary. Certainly as we look at the history of United Dance Productions, we would like to celebrate the work that Suzette Harvey has done in this community. When I look at her I always say that she somehow sparked a dance revolution. When she came back from school, she had a vision of this elite art form that seemed to have been reserved to a smaller segment of society, [and] she was able to provide it to individuals from all walks of life. Now you can see [her success], and you [can] hear United Dance Productions, just watching them recently in the parade, the Bermuda Day Parade and the army almost of dancers who came forward.

Certainly I have seen how the work of Suzette Harvey—you do not just see it in the cultural segment, but even the work that she has done has actually spilled into every segment of our community. So I want to commend her for the work that she has done over the years. And we wish United Dance Productions continued growth and success as they go forward.

I would like to also at this time take the opportunity to congratulate the Rev. Dr. Larry Dixon on his retirement from active service in the African Methodist Episcopal Church. Reverend Dixon, who is a native of Georgia, actually began his journey as a pastor here in the Island of Bermuda some 46 years ago as the pastor of our mother church, St. John AME Church in Bailey's Bay. After leaving Bermuda, he went on to serve in the US in several congregations and then

was elevated to the office of Presiding Elder. And ironically, he ended his journey in the itinerant ministry as the Presiding Elder of the West District here in the Bermuda Conference.

He completed his service last week and is now back overseas, but we would like to send congratulations to him on his journey, which was full circle in this community, and wish him the best in his retirement, as well as congratulating the Reverend Howard Dill on his appointment as the Presiding Elder of the East West District of the Bermuda Conference. Certainly we look forward to his leadership in this church as it transitions and meets the demands of this age.

Thank you, Madam President.

The President: Thank you, Senator Dr. Emilygail Dill. Would any other Senator care to speak?
Senator De Couto, you have the floor.

Sen. Dr. Douglas De Couto: Thank you, Madam President.

This moment in our day to me is always a reminder of how full of life and accomplishment Bermuda is whether we be congratulating ahead or we be remarking on those we have lost. So I just wanted to note that.

I would also like to associate myself with all of the comments regarding Olga Scott and condolences to the Scott family; as well as to the condolences on the passing of Mr. Keith Gordon and to his family as well.

I would like to send condolences to the family of Peter Durhager, who passed at age 80, especially his son, Peter, and wife, Ann, and their family of Warwick. Mr. Durhager, Sr., was quite a sportsman, a traveller. He was what today we would call a *waterman*, busy spearfishing, catching lobsters, swimming, water-skiing and so forth. He was quite a dynamic individual. So I would like to relay my condolences to his family.

I would like to relay my condolences to the family of Colin Golder, who unfortunately perished in a man-overboard incident during the recent race to Bermuda. Mr. Golder was a 10-time participant in that race. He was a highly experienced skipper. And that means he had probably been coming to this Island for 20 to 30 years. It is the reminder that even a recreational race like that has its perils. Again, I would like to relay our condolences to Mr. Golder's family.

If I turn to positive news, I would like to congratulate all of the participants in the Newport Bermuda Race who are now celebrating their arrival in the various ways. I would especially like to congratulate the Bermuda boats, the *Spirit of Bermuda*, skippered by Alex Peacock; *Nasty Medicine*, skippered by Dr. Stephen Sherwin; and *Crossfire*, skippered by Bermudian Brian Hillier.

Now, hopefully I have got this right. It does change as they run the numbers. But I believe *Cross-*

fire came third in their class, which is a very good accomplishment, and 25th out of 108 in what we call the St. David's Division, which is the most prestigious division of that race. So I would like to congratulate all of them and remark on what a boost to Bermuda's tourism all of these visitors are, and how nice it is to see them all enjoying our natural beauty and hospitality.

I would also like to remark on the boat *Argo*, which those of you know set a new record, 33 hours sailing to Bermuda, which is pretty amazing because I do not think you could do that fast in a motorboat.

I have a theme in these congratulations; you probably figured it out. I would like to congratulate Benn Smith and Christian Ebbin, his cousin, for their astounding victory in the 78th [annual] Edward Cross Long Distance Comet Race. I believe they finished with a three-minute lead. And as youngsters, I think they have probably shaken up some of the long-standing champions in that class. I knew that race had been around a long time, but 78 years is pretty amazing. And it is a testament, frankly, to the Black Bermudian sailors who against all odds created their own community when they were not allowed to participate in the other communities.

Finally, I would like to congratulate Sebastian Kempe and Nicole Stovell, who each recently competed in the UK [RYA] Youth National Sailing Championships. Each won their respective classes. For those of you who do not follow that, you should understand that in the UK the sailing is very, very competitive. And we already know that those two are sailing at a world level, and this is further proof of it. I am going to paraphrase a quote that I read from him, just to give you an idea of the mind-set. He came second in the first race. And I believe his comment was, *Well, that race didn't go as I had planned*. So I hope that they keep them up because next month both of them will be competing in the Youth World Championships in their respective classes. And I would send in advance our best wishes for their success there. And as a reminder, Sebastian is the returning champion in that.

Thank you, Madam President.

The President: Thank you, Senator Dr. De Couto. Would any other Senator care to speak?
Senator Owen Darrell, you have the floor.

Sen. Owen Darrell: Thank you, Madam President.

Madam President, I would just like to first start off by asking that we send condolences to the family of Mr. John Holdipp III. Mr. Holdipp, as some individuals would know, was an ardent supporter of the Progressive Labour Party. And I got to know him as I was the chairman of the party at one time, Madam President. Also, I do not know how he got my number after that. (Maybe I gave it to him.) But Mr. Holdipp used to constantly call me and offer his ideas and his plans

and things that could make this community better. So I know he was laid to rest about a week ago, or 10 days ago. And I would just like condolences to be sent to his family, mainly his siblings.

And on a more positive and happier note, Madam President, I would like to congratulate 12 members of what we would call new educators, who have just completed as of yesterday the Bermuda Teacher Inductee Programme. I was due to attend yesterday, and at the last minute I was unable. But I would like to publicly congratulate those 12 members. I do not have their names at this time, but I will come back and probably have a Ministerial Statement on this. But I did want to say congratulations to them. The Bermuda Teacher Inductee Programme is something that I am very familiar with, and I enjoyed the two years that I spent in that. And what it is that when you come in as an educator, you have a mentor. The mentor teacher shows you the ropes of being an educator in the Bermuda public school system.

It is really rewarding and refreshing to be with your cohort for two years, [as you can] share stories. And it is always fun times after the two years. They kind of call you a *veteran teacher* and they release you on your own.

So congratulations to those 12 educators, and I will have their names. And as the next weeks and days go on, we will have lots of congratulations when it comes to education. I know this is the final week of the Bermuda public schools being in. I talk to my children every night, and every day right now it is the beach, it is a field trip, it is something else. And those are important. I did see a comment from an educator, unfortunately, that they felt it was a babysitting service, and I disagree. I think that the outings that our public school students are going on this week to immerse them in the culture—and some things, unfortunately, some of the students in the public school system may not ordinarily get exposure to. I want to thank the teachers who are arranging these field trips and exposing our young people before they go off to summer break and graduations and moving to different schools and things of that nature.

So I want to congratulate everyone in education as the school year does come to a conclusion and we start to celebrate many, many, many accomplishments.

Thank you, Madam President.

The President: Thank you, Senator Darrell.

I think that is everyone who wanted to speak.

I would just like to join in the sentiments that have been expressed for the passing of Mrs. Olga Scott. She was a personal friend of my husband and mine over many years. I am very close to the family, and certainly Honourable Alex Scott and his daughter, Robyn and her family, as well as Minister Lawrence Scott—it has been a very difficult time for them because of the suddenness of the passing, but I want to

join in the expressions of sympathy that have been expressed and to certainly express my own for the entire family.

I would also like to offer condolences to the family of Judith Swan, the wife of Rick Swan and sister of Patsy. She obviously, I think most people have heard about Trott Drapery. That was run by her mother, and she certainly did that for many years. She is being funeralised as we speak, in fact, in Paget. So I would just like to join in the sentiments that have been expressed by others and acknowledge that. (Sorry. It is a bit difficult for me this morning.)

With all of that said, we will move on then.

The President: Minister Peets.

ADJOURNMENT

Sen. the Hon. Dr. Ernest Peets: Thank you, Madam President.

I move that Senate adjourn to Wednesday, July 6.

The President: Would any Senator care to speak on the motion to adjourn?

Hearing none, then, Senators, the Senate stands adjourned until July 6.

[At 11:06 am, the Senate stood adjourned until 10:00 am, Wednesday, 6 July 2022.]