



BERMUDA HOUSE OF ASSEMBLY

Official House Minutes

November 21, 2014

Electronic Version

Hon. K. H. Randolph Horton, JP, MP
Speaker

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**Proceedings
of the
Honourable House of Assembly
Session of 2014-2015**

No. 3

Friday, November 21, 2014

Members Present: His Honour the Speaker, Jeanne J. Atherden, Kenneth L. Bascome, Marc A. R. Bean, Glenn A. Blakeney, Walton D. Brown, Derrick V. Burgess, David G. Burt, L. Craig Cannonier, Rolfe P. Commissiong, Shawn G. Crockwell, Zane J. S. DeSilva, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Susan E. Jackson, Suzann Roberts-Holshouser, Dennis P. Lister, Trevor G. Moniz, Nandi S. Outerbridge, Mark J. Pettingill, Everard T. Richards, Sylvan D. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, R. Wayne E. Scott, W. Lawrence Scott, Jamahl S. Simmons, N. H. Cole Simons, Glenn C. Smith, Jefferson C. Sousa, Michael A. Weeks, Kim N. Wilson.

10:01 a.m. Prayer

Oath of Allegiance:

His Honour the Speaker administered the Oath of Allegiance to Mr. Jamahl Simmons

Confirmation of Minutes:

Minutes to the Meeting of 14th November, 2014, were confirmed.

Announcements by the Speaker:

Item (p) Motion on the Order Paper in the name of Mr. N. H. C. Simons to be removed in accordance with Standing Order 34 (3).

10:06 a.m.

Papers and other Communications to the House:

MR. M. H. DUNKLEY read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the information of the Honourable House of Assembly the "Annual Report of the Bermuda Drug Information Network (BerDIN) 2013/2014".

MR. M. H. DUNKLEY
Premier and Minister of National Security

Sessions House,
21st November, 2014

DR. E. G. GIBBONS read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the information of the Honourable House of Assembly the "Bermuda College Annual Report 2013/2014"

DR. E. G. GIBBONS
Minister of Education and Economic Development

Sessions House,
21st November, 2014

DR. E. G. GIBBONS read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the "Bermuda College Buildings Reserve (Closure of Fund) Order 2014"

DR. E. G. GIBBONS
Minister of Education and Economic Development

Sessions House,
21st November, 2014

MR. E. T. RICHARDS read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the information of the Honourable House of Assembly the "Memorandum of Understanding between the Canadian Commercial Corporation and the Bermuda Government"

MR. E. T. RICHARDS
Minister of Finance

Sessions House,
21st November, 2014

MS. P. J. GORDON-PAMPLIN read the following communication to His Honour the SPEAKER.

TO HIS HONOUR THE SPEAKER:

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the "Land Valuation and Tax (Postponement of Preparation of Quinquennial Draft Valuation List) Order 2014".

MS. P. J. GORDON-PAMPLIN
Minister of Public Works

Sessions House,
21st November, 2014

10:20 a.m.

Statements by Ministers and Junior Ministers:

MR. M. H. DUNKLEY made a Ministerial Statement regarding the "EMO Debrief post Tropical Storm Fay and Hurricane Gonzolo".

MR. E. T. RICHARDS made a Ministerial Statement regarding the "Memorandum of Understanding between the Government of Bermuda and the Canadian Commercial Corporation concerning the Redevelopment of the Airport".

MS. J. J. ATHERDEN made a Ministerial Statements regarding the "Merger of Opportunity Workshop and Orange Valley".

MR. R. W. E. SCOTT made a Ministerial Statement regarding the "Introduction of Free Online Tutoring".

DR. E. G. GIBBONS made two Ministerial Statements regarding the "Bermuda College 2013-2014 Annual Report" and the "Energy Summit 2014".

His Honour the Speaker acknowledged former MP, Mr. Lionel Simmons in the Public Gallery.

His Honour the Speaker also recognised Senators Mr. Vic Ball and Mr. Diallo Rabain.

10:35 a.m.

Question Period:

MR. Z. J. S. DESILVA asked Mr. M. H. Dunkley a question relating to his Ministerial Statement on the "EMO Debrief post Tropical Storm Fay and Hurricane Gonzolo".

MR. Z. J. S. DESILVA asked Mr. M. H. Dunkley a supplementary question.

MR. G. A. BLAKENEY asked Mr. M. H. Dunkley a question.

MR. G. A. BLAKENEY asked Mr. M. H. Dunkley a supplementary question.

MR. G. A. BLAKENEY asked Mr. M. H. Dunkley a second supplementary question.

MR. M. A. R. BEAN asked Mr. M. H. Dunkley a question on his Ministerial Statement.

MR. M. A. R. BEAN asked Mr. M. H. Dunkley a supplementary question.

MR. M. A. R. BEAN asked Mr. M. H. Dunkley a second supplementary question.

MR. M. A. R. BEAN asked Mr. M. H. Dunkley a second question.

MR. E. D. G. BURT asked Mr. M. H. Dunkley a supplementary question.

MR. E. D. G. BURT asked Mr. M. H. Dunkley a second supplementary question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a question on his Ministerial Statement.

11:12 a.m.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a supplementary question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a second supplementary question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a second question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a supplementary question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a second supplementary question.

MR. W. H. ROBAN asked Mr. M. H. Dunkley a third question.

MR. W. L. A. SCOTT asked Mr. M. H. Dunkley a question on his Ministerial Statement.

His Honour the Speaker acknowledged Sen. Marc Daniels in the Public Gallery.

11:18 a.m.

MR. W. L. A. SCOTT asked Mr. E. T. Richards a question on his Ministerial Statement on the Memorandum of Understanding between the Government of Bermuda and the Canadian Commercial Corporation concerning the Redevelopment of the Airport.

MR. M. A. WEEKS asked Mr. E. T. Richards a supplementary question.

MS. K. N. WILSON asked Mr. E. T. Richards a supplementary question.

MS. K. N. WILSON asked Mr. E. T. Richards a second supplementary question.

MR. W. H. ROBAN asked Mr. E. T. Richards a supplementary question.

MR. W. H. ROBAN asked Mr. E. T. Richards a second supplementary question.

MR. M. J. SCOTT asked Mr. E. T. Richards a supplementary question.

MR. W. L. A. SCOTT asked Mr. E. T. Richards a supplementary question.

MR. R. P. COMMISSIONG asked Mr. E. T. Richards a supplementary question.

MR. G. A. BLAKENEY asked Mr. E. T. Richards a supplementary question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a supplementary question.

MR. G. A. BLAKENEY asked Mr. E. T. Richards a second supplementary question.

MR. W. L. A. SCOTT asked Mr. E. T. Richards a third supplementary question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a supplementary question.

MR. E. D. G. BURT asked Mr. E. T. Richards a supplementary question.

MR. E. D. G. BURT asked Mr. E. T. Richards a second supplementary question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a second supplementary question.

MR. E. D. G. BURT asked Mr. E. T. Richards a question on his Ministerial Statement.

MR. E. D. G. BURT asked Mr. E. T. Richards a supplementary question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a second question.

MR. M. A. R. BEAN asked Mr. E. T. Richards a supplementary question.

MR. E. D. G. BURT asked Mr. E. T. Richards a second question.

MR. E. D. G. BURT asked Mr. E. T. Richards a supplementary question.

MR. E. D. G. BURT asked Mr. E. T. Richards a second supplementary question.

MR. E. D. G. BURT asked Mr. E. T. Richards a third question.

MR. W. H. ROBAN asked Mr. E. T. Richards a supplementary question.

MR. G. A. BLAKENEY asked Mr. E. T. Richards a question.

MR. E. D. G. BURT asked Mr. E. T. Richards a supplementary question.

MR. E. D. G. BURT asked Mr. E. T. Richards a second supplementary question.

MR. M. A. WEEKS asked Mr. R. W. E. Scott a question on his Ministerial Statement.

MR. M. A. WEEKS asked Mr. R. W. E. Scott a supplementary question.

MR. M. A. WEEKS asked Mr. R. W. E. Scott a second supplementary question.

12:01 p.m.

Congratulatory and Obituary Speeches:

MR. M. H. DUNKLEY congratulated Congressman G. K. Butterfield who has been selected Chairman of the Congressional Black Caucus; associated all Members of the House; congratulations to Troika Bermuda "Beauty and The Beast", an astounding performance of the play; sent congratulations to Seldon Woolridge and Shoa Bean on their commitment to Trioka and the Arts; sent condolences to the family of the late Ms. Anthea Cox; associated Mr. N. H. C. Simons.

MR. M. A. R. BEAN sent congratulations to Dr. David Chapman who received his Ph. D. Recently; associated the whole House.

MR. S. G. CROCKWELL congratulated The Reefs, Tuckers Point and Cambridge Beaches for being recognised in the Conde Nast Travel Magazine.

MS. L. F. FOGGO associated herself with congratulating Troika "Beauty and the Beast" which she described as a first class performance; congratulated the Berkeley Institute on excellent academic results and recognising their students at a Prize Giving event; sent condolences to the family of the late Mr. Harry Fox.

MR. R. W. E. SCOTT congratulated the 41 students who received the Young Students Award recently; sent congratulations to Swimmer Roy Allen Burch who broke a record at the CAC Games; congratulations to Santwali Woolridge and Jermal Woolridge who won Medals at the 7th Sanda World Cup in Indonesia.

MR. J. S. SIMMONS associated himself with congratulating Mr. G. K. Butterfield; congratulated Roger Lambert for his good work in the community; congratulated West End Primary School for their Programme "Character Counts".

MS. L. K. SCOTT associated herself with congratulating the Berkeley Institute on their Prize Giving Ceremony.

MR. M. A. WEEKS associated himself with remarks relating to Trioka ; associated himself with tributes for Dr. David Chapman; sent congratulations to Mr. Marico Thomas, owner of Four Star Pizza on his community food giveaway.

MS. N. S. OUTERBRIDGE extended best wishes to Ms. Bermuda, Miss Lillian Lightbourne who is overseas representing Bermuda in the Ms. Universe competition in London.

MS. K. N. WILSON associated herself with congratulating Dr. David Chapman; congratulated students of excellence at Sandy's Secondary Middle School.

MR. S. D. RICHARDS congratulated organizers of BEDC Global Enterprise Week.

MR. J. C. SOUSA congratulated Marsh on their Community Work Day; sent congratulations to EAP on their presentation "Marijuana in the Work Place"; congratulated Bermuda Cancer and Health on their Health Clinic Held recently.

12:25 p.m.

MS. S. E. JACKSON associated herself with comments relating to Dr. David Chapman; associated herself with comments regarding Global Entrepreneur Week.

MS. S. ROBERTS-HOLSHOUSER congratulated Eliza Doolittle Society on distributing over 200,000lbs of food to the community.

MR. E. D. G. BURT associated himself with comments for Troika's "Beauty and the Beast".

DR. E. G. GIBBONS congratulated Toni and Barbara Smith who are celebrating their 60th wedding anniversary; congratulated the organisers of the Devils Hole Dock Cleanup Crew.

Hid Honour the Speaker extended condolences to Mrs. Carolyn Todd, the former Assistant Clerk whose husband passed yesterday.

12:32 p.m.

MR. M. H. DUNKLEY moved that the House do now recess for lunch, which was agreed to.

The SPEAKER ordered that the House resume at 2:00 p.m.

2:01 p.m.

The House Resumed.

2:02 p.m.

Introduction of Bills:

MR. E. T. RICHARDS, on behalf of Mr. M. H. Dunkley, introduced and read for the first time by its title the Bill entitled the "Cannabinoid Pharmaceutical Products Act 2014", which was agreed to.

The Bill was then read the first time by its title.

DR. E. G. GIBBONS, introduced and read for the first time by its title the Bill entitled the "Bermuda College Amendment Act 2014", which was agreed to.

The Bill was then read the first time by its title.

2:04p.m.

Orders of The Day:

Order number 1 was carried over to the next meeting day.

MR. E. T. RICHARDS moved for leave of the House to move Order numbers 2 and 3 on the Order Paper together, which was agreed to.

On the motion of MR. E. T. RICHARDS the Bill entitled the "International Cooperation (Tax Information Exchange Agreements) Amendment Act 2014" and the "U.S.A. – Bermuda Tax Convention Agreement Act 2014", were then read a second time.

2:14 p.m. - MR. E. D. G. BURT

2:16 p.m. - MR. C. W. D. BROWN

2:17 p.m. - MR. E. T. RICHARDS

The Bills were committed.

2:19 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

MR. E. T. RICHARDS moved clauses 1-4 of both Bills.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chairwoman reported the adoption of both Bills, as printed, which was agreed to.

on the motion of MR. R. W. E. SCOTT the Bill entitled the "Children Amendment Act 2014" was then read a second time.

2:45 p.m. - MR. M. A. WEEKS

3:00 p.m. - MS. S. ROBERTS-HOLSHOUSER

3:11 p.m. - MS. K. N. WILSON

3:22 p.m. - MR. G. A. BLAKENEY

3:40 p.m. - MS. S. E. JACKSON

3:47 p.m. - MR. R. W. E. SCOTT

The Bill was committed.

3:55 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

MR. R. W. E. SCOTT moved clauses 1-3 of the Bill.

3:59 p.m. - MS. K. N. WILSON

4:01 p.m. - MR. R. W. E. SCOTT

4:03 p.m. - MS. K. N. WILSON

MR. R. W. E. SCOTT moved clauses 4-6 of the Bill.

4:07 p.m. - MR. M. A. WEEKS

MR. R. W. E. SCOTT moved clause 7 of the Bill.

4:20 p.m. - MR. M. A. WEEKS

4:21 p.m. - MR. R. W. E. SCOTT

4:21 p.m. - MR. M. A. WEEKS

4:22 p.m. - MS. K. N. WILSON

4:25 p.m. - MR. R. W. E. SCOTT

4:29 p.m. - MS. K. N. WILSON

4:30 p.m. - MR. R. W. E. SCOTT

4:31 p.m. - MS. K. N. WILSON

4:32 p.m. - MR. R. W. E. SCOTT

4:33 p.m. - MS. K. N. WILSON

4:34 p.m. - MR. R. W. E. SCOTT

4:35 p.m. - MR. S. G. CROCKWELL

4:36 p.m. - MR. R. P. COMMISSIONG

4:36 p.m. - MR. S. G. CROCKWELL

MR. R. W. E. SCOTT moved clauses 8-9 of the Bill and Schedules 1-8.

4:38 p.m. - MR. G. A. BLAKENEY

4:41 p.m. - MR. S. G. CROCKWELL

4:43 p.m. - MR. R. W. E. SCOTT

MR. R. W. E. SCOTT moved that clauses 1-9 of the Bill and Schedules 1-8 be approved, which was agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

The Chairwoman reported the adoption of the Bill, as printed, which was agreed to.

The Chair recognised former Member Mr. John Brunson in the Public Gallery.

Order numbers 5-13 were carried over to the next meeting day.

4:50 p.m.

MR. Z. J. S. DESILVA moved the following motion, notice of which was given on November 7, 2014:-

“BE IT RESOLVED that this Honourable House establish a Select Committee to examine, review and make recommendations and report to this House its findings on existing legislation which addresses the necessity for a public sex offenders’ register along with other pertinent matters relating to convicted sex offenders.”

4:50p.m.

MR. M. J. PETTINGILL moved an amendment to the motion moved by Mr. Z. J. S. Desilva, which was agreed to.

The amended motion was moved as follows:-

“BE IT RESOLVED that this Honourable House establish a **Joint** Select Committee to examine, review and make recommendations and report to this **Honourable** House its findings on existing legislation **on sex offenders and protecting children from sexual abuse, including** the necessity for a public sex offenders’ register along with other pertinent matters relating to convicted sex offenders.”

- which was agreed to.

4:53 p.m. - MR. M. J. PETTINGILL

5:31 p.m. - MR. Z. J. S. DESILVA

5:55 p.m. - MS. S. ROBERTS-HOLSHOUSER

His Honour the Speaker recognised former Member Mr. John Brunson in the Public Gallery.

6:05 p.m. - MR. M. A. WEEKS

6:10 p.m. - MR. S. G. CROCKWELL

6:24 p.m. - MR. T. G. MONIZ

6:30 p.m. - MS. P. J. GORDON-PAMPLIN

MR. T. G. MONIZ, on behalf of Mr. M. J. Pettingill, moved that the motion be approved, which was agreed to.

Order number 15 was carried over to the next meeting day.

6:42p.m.

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bills entitled the "International Cooperation (Tax Information Exchange Agreements) Amendment Act 2014" and the "U.S.A. – Bermuda Tax Convention

Agreement Act 2014"" be now read the third time, which was agreed to.

On the motion of MR. E. T. RICHARDS, the Bills entitled the "International Cooperation (Tax Information Exchange Agreements) Amendment Act 2014" and the "U.S.A. – Bermuda Tax Convention Agreement Act 2014" were then read the third time and passed.

MR. R. W. E. SCOTT moved that Standing Order 21 be suspended to enable him to move that the Bill entitled the "Children Amendment Act 2014" be now read the third time, which was agreed to.

On the motion of MR. R. W. E. SCOTT, the Bill entitled the "Children Amendment Act 2014" was then read the third time and passed.

6:44 p.m.

MR. M. H. DUNKLEY moved that the House do adjourn to Friday, 28th November, 2014 at 10:00 a.m., which was agreed to.

MR. M. H. DUNKLEY moved that the House do now adjourn, which was agreed to.

6:54 p.m. - MR. S. G. CROCKWELL

7:06 p.m. - MR. Z. J. S. DESILVA

7:25 p.m. - MR. W. H. ROBAN

7:45 p.m. - MS. S. E. JACKSON

7:51 p.m. - MR. D. V. BURGESS

8:05 p.m. - MS. P. J. GORDON-PAMPLIN

8:17 p.m. - MR. W. L. FURBERT

8:37 p.m. - MR. S. D. RICHARDS

8:50 p.m. - MR. G. A. BLAKENEY

9:10 p.m. - MR. W. L. A. SCOTT

9:30 p.m. - MR. M. J. SCOTT

9:50 p.m. - MR. E. D. G. BURT

10:07 p.m. - MR. E. T. RICHARDS

10:29 p.m. - MR. M. A. R. BEAN

10:44 p.m. - MS. S. ROBERTS-HOLSHOUSER

10:55 p.m. - MR. M. H. DUNKLEY

11:08 p.m.

Adjourned to Friday, 28th November, 2014