



BERMUDA HOUSE OF ASSEMBLY

Official House Minutes

November 15, 2013

Electronic Version

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

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

No. 2

Friday, November 15th, 2013

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, Terry E. Lister, Trevor G. Moniz, Nandi S. Outerbridge, Mark J. Pettingill, Everard T. Richards, Walter H. Roban, Leah K. Scott, Michael J. Scott, R. Wayne E. Scott, W. Lawrence Scott, N. H. Cole Simons, Glenn C. Smith, Jefferson C. Sousa, Michael A. Weeks, Kim N. Wilson.

MR. E. T. RICHARDS
Minister of Finance

10:23 a.m. Prayer

Sessions House,
15th November, 2013

Confirmation of Minutes:

Minutes to the meeting of November 8th, 2013 was deferred.

MR. R. W. E. SCOTT read the following communication to His Honour the SPEAKER.

10:24 a.m.

TO HIS HONOUR THE SPEAKER:-

Announcements by the Speaker:

I have the honour to attach and submit for the information of the Honourable House of Assembly "The Bermuda Housing Trust Financial Statements as at 31 March 2013" and the "Adoption of Children Regulations 2013".

His Honour the Speaker announced the appointment of Sen. James Jardine to replace Mr. T. E. Lister on the Joint Select Committee on Governance and Reform.

MR. R. W. E. SCOTT
Minister of Community, Culture and Sports

10:25 a.m.

Minister of Community, Culture and Sports

Papers and other Communications to the House:

Sessions House,
15th November, 2013

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

10:25 a.m.

TO HIS HONOUR THE SPEAKER:-

Petitions

I have the honour to attach and submit for the information of the Honourable House of Assembly the following Items: - "SAGE Commission Final Report", the "Contributory Pension Fund Actuarial Review as at 1 August 2011", the "Customs Duty (Courtagen Bermuda Ltd.) Remission Order 2013", the "Customs Duty (Ocean View Golf Course) Remission Order 2013" and the "Customs Duty (Port Royal Golf Course) Remission Order 2013".

MS. N. S. OUTERBRIDGE presented the following Petition:-

The Petition of Reid Finance Limited requesting the enactment of the "Beechwood Bermuda International Ltd. Act 2013", requesting flexibility in certain respects when structuring its long term insurance policies as set out in the Bill entitled the "Beechwood Bermuda International Ltd. Act 2013".

The said Petition was referred to the Joint Select Committee on Private Bills for consideration and report.

10:30 a.m.

Statements by Ministers and Junior Ministers:

MS. P. J. GORDON-PAMPLIN made Ministerial Statements regarding the "MRSA Outbreak and resolution"; the "Closure by the BHB of the Lambe-Foggo Urgent Care Centre"; the "Update on the Acute Care Wing construction project"; and the "Launch of Step-Wise to a Well Bermuda".

MR. S. G. CROCKWELL made a Ministerial Statement regarding the "2013 PGA Grand Slam of Golf".

MR. E. T. RICHARDS made a Ministerial Statement regarding the "SAGE Commission Report".

11:25 a.m.

Question Period:

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a question on the MRSA Outbreak and resolution.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. G. A. BLAKENEY asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. G. A. BLAKENEY asked Ms. P. J. Gordon-Pamplin a second supplementary question.

MR. M. A. R. BEAN asked Ms. P. J. Gordon-Pamplin a question on the MRSA Outbreak and resolution.

MR. M. A. R. BEAN asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a second question on the MRSA Outbreak and resolution.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a third question.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a supplementary question.

11:40 a.m.

MS. L. F. FOGGO asked Ms. P. J. Gordon-Pamplin a question on her statement on the Closure by the BHB of the Lambe-Foggo Urgent Care Centre.

MS. L. F. FOGGO asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. M. J. SCOTT asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. M. A. R. BEAN asked Ms. P. J. Gordon-Pamplin a question.

MR. M. A. R. BEAN asked Ms. P. J. Gordon-Pamplin a supplementary question.

11:50 a.m.

MS. L. F. FOGGO asked Ms. P. J. Gordon-Pamplin a second question.

MS. L. F. FOGGO asked Ms. P. J. Gordon-Pamplin a supplementary question.

MS. L. F. FOGGO asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. M. A. R. BEAN asked Ms. P. J. Gordon-Pamplin a question on her statement on the Closure by the BHB of the Lambe-Foggo Urgent Care Centre.

MR. M. A. R. BEAN asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a second question.

MS. K. N. WILSON asked Ms. P. J. Gordon-Pamplin a supplementary question.

MS. K. N. WILSON asked Ms. P. J. Gordon-Pamplin a second supplementary question.

MS. K. N. WILSON asked Ms. P. J. Gordon-Pamplin a supplementary question.

MS. K. N. WILSON asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. W. L. FURBERT asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a third question.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a second supplementary question.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a third supplementary question.

MR. M. A. R. BEAN asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. M. A. R. BEAN asked Ms. P. J. Gordon-Pamplin a second supplementary question.

MR. W. L. FURBERT asked Ms. P. J. Gordon-Pamplin a question.

MR. W. L. FURBERT asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. W. L. FURBERT asked Ms. P. J. Gordon-Pamplin a second question.

MR. W. L. FURBERT asked Ms. P. J. Gordon-Pamplin a third question.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a question on her statement on the Closure by the BHB of the Lambe-Foggo Urgent Care Centre.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a second question.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a second supplementary question.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a third question.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a supplementary question.

MR. E. D. G. BURT asked Ms. P. J. Gordon-Pamplin a second supplementary question.

12:25 p.m.

MR. L. C. CANNONIER moved that the House do now recess for lunch, which was agreed to.

His Honour the SPEAKER ordered that the House resume for business at 2:00 p.m.

2:02 p.m.

The House resumed.

2:03 a.m.

Congratulatory and Obituary Speeches:

MR. J. C. SOUSA congratulated Mr. Roy Allen Burch on winning the silver medal in 100M. swimming competition in Europe and setting a new Bermuda Record in the 100M freestyle swim; associated all members of the house with these comments.

MR. M. A. R. BEAN expressed condolences to the family of the late Dr. Clifford Maxwell, an outstanding educator and former Principal of the Berkeley Institute; expressed condolences to the family of the late Mr. Hinson "Amigo" Bean, a free spirit and well known character in Warwick; expressed condolences to the family of the late Mr. Wentford Lambert.

MR. T. E. LISTER associated himself with the condolences for the late Dr. Clifford Maxwell, a great statesman; associated himself with condolences for the late Mr. W. Lambert; associated himself with condolences for the late Mr. Mitchell Eve; associated Mr. M. A Weeks with this statement of condolences; expressed condolences to the family of the late Miss Hazel Richardson of Somerset; expressed condolences to the family of the late Mrs. Valerie Herbert Brangman; associated M. A. R. Bean with these comments; sent congratulations to Miss Keishae Simmons on winning the Hospitality Institute Rising Chef Competition; congratulations and thanks to "Scoops" Ice Cream shop in Warwick on free Ice cream for kids during Halloween; associated himself with congratulations for Mr. Roy Allen Burch.

MS. N. S. OUTERBRIDGE congratulated Miss Ashley Stevens, 10 year old entrepreneur who runs a lemonade stand.

MR. M. A. WEEKS congratulations to the Bermuda Sanshou Association on outstanding performances of Bermudians at the World Championships in Malaysia; congratulations to Mr. Jamel Woolridge on winning a silver medal at the Championships; congratulations to Western Stars Sports Club; associated Mr. E. D. G. Burt; congratulations to Dandy Town F. C. on winning the 2013 Dudley Eve Trophy; associated himself with condolences for the late Mr. Mitchell Eve.

MR. D. V. BURGESS expressed condolences to the family of the late Rev. Allen Walker Sr., former Pastor in the Methodist Church in Bermuda; expressed condolences to the family of the late Miss Sylvia Zuill a long serving member of the hospitality industry in Bermuda; congratulations to Mr. Dennis Pilgrim, Superintendent at Port Royal Golf Course on the preparation of the course for the 2013 P. G. A. Grand Slam.

MR. R. W. E. SCOTT associated himself remarks for Mr. Roy Allen Burch and Mr. Dandy Town F. C.; congratulations to the Bermuda National Cricket Team on their success at the ICC Tournament in Dubai; congratulations to the Awardees at the Bermuda National Arts Awards.

MS. L. F. FOGGO associated herself with remarks of condolences for Dr. Clifford Maxwell, a quiet unassuming giant of a man and great math teacher; sent condolences to the family of the late Mr. Leroy Hollis of St. David's; congratulations to Mr. Al Wharton on his contribution to Bermuda and our society with his Martial Arts School over many years; associated all Members of the House.

DR. E. G. GIBBONS congratulations to the organisers of the successful ILS (Insurance Linked Securities) conference held in Bermuda; associated himself with remarks for the late Dr. Clifford Maxwell and Dr. Beresford Swan; associated himself with congratulating Mr. Al Wharton.

MR. W. L. A. SCOTT congratulations to Mr. Johnny Ball on his election as new President of Pembroke Hamilton Club (PHC).

His Honour the Speaker acknowledged the presence of former Premier Dr. Ewart F. Brown and former Members Mr. Stanley A. Morton and Mr. Jamahl Simmons.

MR. C. W. D. BROWN associated himself with remarks for Dr. Clifford Maxwell who was actively

involved in the Progressive Group and an organizer of the 1959 Theatre Boycott.

2:31 p.m.

MR. N. H. C. SIMONS associated himself with condolences for the late Dr. Clifford Maxwell, the late Mrs. Hazel Richardson, and the late Ms. Sylvia Zuill; expressed condolences for the late Mrs. Dorothy Lucille Tatem a former teacher at Ord Road Primary School and school Principal; associated Mr. E. T. Richards with those comments; associated himself with condolences for the late Dr. Beresford Swan; associated all Members with those comments; send condolences to the family of the late Mr. Stewart Walter Trott the former President of the Blue Water Anglers Club, a very active in the development of children; congratulations to Thomas Allison in London U. K. who started a company that was brought by ebay; associated himself with remarks for the late Mr. Al Wharton for his contribution in developing young people.

MR. M. J. SCOTT associated himself with remarks for the late Ms. Dorothy L. Tatem a great mother and active Christian; associated himself with condolences for the late Dr. Beresford Swan; sent condolences to the family of the late Mr. Phillip "Stickman" Galloway a great footballer and outstanding member of the community; associated all Members with these comments.

MS. S. ROBERTS-HOLSHOUSER associated herself with remarks for the late Mr. Stewart Trott, who will be sadly missed; congratulations to Ms. Liz Boden at Open Airways on bringing in a great speaker on quitting smoking; congratulations to Ms. Sangita Iyer of the Bermuda Environmental Alliance on success in bringing environmental education to our schools.

MR. G. C. SMITH expressed condolences for the Filipino community in Bermuda on the tragedy in the Philippines caused by Typhoon Haiyan; associated all Members of the House.

HIS HONOUR THE SPEAKER associated himself with condolences for the family of the late Mr. Wentford Lambert and the late Mr. Phillip "Stickman" Galloway; associated himself with condolences for the late Dr. Maxwell; associated himself with condolences of the late Mrs. Dorothy Tatem, who was a great lady.

2:46 p.m.

Introduction of Bills:

MR. M. H. DUNKLEY moved for leave to introduce and read for the first time by its title a Bill entitled the "Firearms Amendment (No.2) Act 2013".

DR. E. G. GIBBONS moved for leave to introduce and read for the first time by their titles the "U.S.A. Bermuda Tax Convention Amendment Act 2013" and the "International Co-operation (Tax Information Exchange Agreements) Amendment Act 2013".

2:47 a.m.

Notices of Motions:

MR. E. T. RICHARDS gave notice that at the next day of meeting he proposed to move the following motion:

“That this Honourable House take note of the final Report of the Spending and Government Efficiency (SAGE) Commission”.

2:48 p.m.

Orders of the Day:

MR. M. H. DUNKLEY moved for consideration of the Speech with which His Excellency the Governor was pleased to open the present Session of Parliament.

2:50 p.m.

MR. M A. R. BEAN, Opposition Leader, tabled a Reply to the Throne Speech by Her Loyal Opposition.

- 3:47 p.m. - MR. R. W. E. SCOTT
- 4:04 p.m. - MR. G. A. BLAKENEY
- 4:38 p.m. - MS. S. E. JACKSON
- 4:45 p.m. - MR. T. E. LISTER
- 5:18 p.m. - DR. E. G. GIBBONS
- 5:46 p.m. - MR. M. J. SCOTT
- 6:19 p.m. - MS. N. S. OUTERBRIDGE
- 6:25 p.m. - MR. D. V. BURGESS
- 6:50 p.m. - MR. S. G. CROCKWELL

The Chair recognized former Tourism Minister Mr. A. David Dodwell who was sitting in the Public Gallery.

- 7:21 p.m. - MR. C. W. D. BROWN
- 8:00 p.m. - MR. W. L. A. SCOTT
- 8:21 p.m. - MR. SPEAKER in the Chair.

- 8:25 p.m. - MS. J. J. ATHERDEN
- 8:54 p.m. - MR. SPEAKER
- 8:55 p.m. - MS. K. N. WILSON
- 9:28 p.m. - MR. J. C. SOUSA
- 9:39 p.m. - MR. Z. J. S. DESILVA
- 10:09 p.m. - MR. M. A. WEEKS
- 10:39 p.m. - MS. P. J. GORDON-PAMPLIN
- 11:09 p.m. - MR. W. H. ROBAN
- 11:39 p.m. - MS. L. K. SCOTT
- 11:47 p.m. - MS. L. F. FOGGO

12:00 a.m. Saturday November 16th, 2013.

- 12:20 a.m. - MR. N. H. C. SIMONS
- 12:44 a.m. - MR. E. D. G. BURT
- 1:13 a.m. - MR. E. T. RICHARDS
- 1:43 a.m. - MR. M. H. DUNKLEY
- 2:08 a.m. - MR. L. C. CANNONIER

MR. L. C. CANNONIER moved that the following message be sent to His Excellency the Governor:

(No. 3)

MAY IT PLEASE YOUR EXCELLENCY?

We, the Members of the House of Assembly of Bermuda, thank Your Excellency for the gracious Speech with which Your Excellency was pleased to open the present Session of Parliament.

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

Sessions House
15th November, 2013.

- which was agreed to.

2:09 a.m.

On the Motion of Mr. L. C. Cannonier, Item number 2 on the Order Paper was carried over to the next day of meeting.

MS. S. ROBERTS-HOLSHOUSER moved that the following petition, together with the Report of the Joint Select Committee on Private Bills which was presented on July, 19, 2013 be now considered:-

The petition of The Bermuda Maritime Museum Association Act 2013 requesting amendments and name change to the Bill entitled the "Bermuda Maritime Museum Association Amendment Act 2013" which accompanies this petition.

MS. S. ROBERTS-HOLSHOUSER moved for leave to introduce and read the first time by its title the following Private Bill:

The House adjourned to Friday November 22nd, 2013 at 10:00 a.m.

"Bermuda Maritime Museum Association Amendment Act 2013".

MS. S. ROBERTS-HOLSHOUSER moved that the prayers of the petitioners be granted and, to give effect thereto, that without prejudice leave be granted to bring in the proposed Bill reprinted to accord with the recommendations of the Joint Select Committee on Private Bills for the amendment thereof, which was agreed to.

His Honour the SPEAKER stated that the necessary certificates had been furnished.

MS. S. ROBERTS-HOLSHOUSER motion was thereupon agreed to and the said private Bill was then read the first time by its title only.

"Bermuda Maritime Museum Association Amendment Act 2013".

MS. S. ROBERTS-HOLSHOUSER moved that under the provisions of Standing Order 33 (7) (a) the remaining stages of the said private Bill be taken forthwith, which was agreed to.

On the motion of MS. S. ROBERTS-HOLSHOUSER, the said private Bill "Bermuda Maritime Museum Association Amendment Act 2013", was then read the second time in the House by its title only

On the motion of MS. S. ROBERTS-HOLSHOUSER, the Clauses and the preamble of the said Private Bill were agreed to.

On the motion of MS. S. ROBERTS-HOLSHOUSER, the said private Bill "Bermuda Maritime Museum Association Amendment Act 2013", was then read the third time in the House by its title only and passed.

2:31 a.m.

MR. L. C. CANNONIER moved that the House, do adjourn to Friday, 22th November, 2013 at 10:00 a.m., which was agreed to.

MR. L. C. CANNONIER moved that the House do now adjourn, which was agreed to.

2:31 a.m.