



BERMUDA HOUSE OF ASSEMBLY

Official House Minutes

July 5, 2013

Electronic Version

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

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**Proceedings
of the
Honourable House of Assembly
Session of 2013**

No. 18

Friday, July 5th, 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, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. Gibbons, Patricia J. Gordon-Pamplin, Suzann Roberts-Holshouser, Dennis P. Lister, Terry E. 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, N. H. Cole Simons, Glenn C. Smith, Jefferson C. Sousa, Michael A. Weeks, Kim N. Wilson.

10:04 a.m. Prayer

Confirmation of Minutes:

Minutes to the Meeting of June, 14th 2013, were confirmed.

Minutes to the Meetings of June 21st 2013 and June, 28th 2013 were deferred.

Announcements by the Speaker:

His Honour the Speaker announced the absences of Ms. Susan Jackson and Mr. Zane DeSilva.

His Honour the Speaker also announced that the House received a thank you message from Hon. Patricia Gordon-Pamplin in reference to the flowers she received from the House as a symbol of condolence for the passing of her mother.

His Honour the Speaker offered condolences on the passing of Administrative Officer Ms. Udora Ford's sister – Ms. Judith Harvey.

10:05 a.m.

Statements by Ministers and Junior Ministers:

MR. S. D. RICHARDS made a Ministerial Statement regarding the "Skink Recovery Program".

MR. S. G. CROCKWELL made a Ministerial Statement regarding the "Bermuda Hotel Development and Investment Summit".

MR. M. H. DUNKLEY made Ministerial Statements regarding the "Strengthening the Security of Licensed Premises" and the "Spike in Underage Drinking".

MR. E. T. RICHARDS made a Ministerial Statement regarding the "Bermuda Post Office's New Public Awareness".

10:34 a.m.

Question Period:

MR. W. L. FURBERT asked MR. S. G. CROCKWELL a question on his Ministerial Statement on the Bermuda Hotel Development and Investment Summit.

MR. W. L. FURBERT asked MR. S. G. CROCKWELL a supplementary question.

MR. W. L. FURBERT asked MR. S. G. CROCKWELL a second question.

MR. W. L. FURBERT asked MR. S. G. CROCKWELL a second supplementary question.

MR. W. L. FURBERT asked MR. S. G. CROCKWELL a third question.

MR. C. W. D. BROWN asked MR. S. G. CROCKWELL a supplementary question.

MS. P. J. GORDON-PAMPLIN Minister of Health and Seniors answered in writing, as follows to written questions addressed to her by Mr. Z. J. DeSilva.

1. Would the Honourable Minister please give this Honourable House an up-to-date list of

the Directors and Officers of Healthcare Partners Ltd. (HPL)?

- A1. The current HPL Board Members are:**
- Jonathan Brewin, Chair
 - Jeanne Atherden, Deputy Chair
 - Thad Hollis
 - Venetta Symonds
2. Would the Honourable Minister please inform this Honourable House when she will submit the most recent Financial Statements of Healthcare Partners Ltd. (HPL)?
- A2. HPL is part of the BHB internal audit being conducted by the Auditor General, resulting from outstanding issues which arose under the previous administration. HPL's annual audit for the 2012/2013 fiscal year will be resumed after the internal audit is completed, and audited financial statements will be forthcoming.**
3. Would the Honourable Minister please inform this Honourable House if the current Chief of Staff, Directors or Officers are paid any fees, bonuses or any derivatives from the Healthcare Partners Ltd. (HPL)?
- A3. Under this OBA administration, BHB employees, executive or otherwise, have never been compensated for any work performed in relation to the operation of HPL. Similar to the Board, and any of its recognized Board Committees, HPL Board Members receive nominal payment for attendance at Board meetings at a rate of \$50 per meeting. If a Board member chairs a meeting, he/she is remunerated \$100 per occurrence.**

MR. M. H. Dunkley Minister of Public Safety, answered in writing, as follows to written questions addressed to him by Mr. W. Roban.

1. Would the Honourable Minister please provide this Honourable House with a the total number of work permit holders who are required to sign the Declaration (to be signed by all non-Bermudian Work Permit Holders) launched on March 15, 2013?

Response:

At April 1, 2013, there were 6,782 persons on active standard work permits. All of these work permit holders were required to sign the Declaration by April 30, 2013.

2. Would the Honourable Minister please provide this Honourable House with the number of Declarations that have been completed and submitted to the Department of Immigration and Ministry since the launch of the programme from March 15, 2013 to date?

Response:

As at May 31, 2013 a total of 4,186 Declarations had been received by the Department of Immigration. Please note however that the June numbers have not been finalized and therefore this number is now higher.

3. Would the Honourable Minister please provide this Honourable House with the total number of Declarations (to be signed by non-Bermudian Work Permit Holders) that remain outstanding?

Response:

As at May 31, 2013 a total of 2,596 Declarations remained outstanding. This number has now decreased in accordance with June submissions

Congratulatory and Obituary Speeches:

MR. L. C. CANNONIER congratulated our seniors and the organizers on the opening of Senior Citizens Week at the Hamilton Princes and noted that our population of seniors is growing; congratulations to the U.S Tall Ship "Eagle" that was docked at Hamilton Harbor.

MR. C. G. SMITH congratulated the KBB and his constituency committee for doing a cleanup in preparation for the Nat West Games; associated the Premier with his comments.

DR. E. G. GIBBONS expressed sympathy on the passing of Mr. Graham Spurling; associated Mr. N. H. C. Simons with his remarks; congratulated Mr. Michael McGavich, CEO of XL Group who has assumed Chairmanship of the Geneva Association.

MR. W. H. ROBAN congratulated Grace Methodist Church on their newly installed interim Pastor Reverend Dwayne Wales.

MS. N. S. OUTERBRIDGE associated herself with tributes for Mr. Graham Spurling; associated Mr. M. H. Dunkley, Ms. J. Atherden and Mr. T. Moniz.

MR. J. C. SOUSA congratulated the Bermuda Audubon Society on their natural history course offered recently

MR. D. V. BURGESS congratulated the newly installed Pastor of Salvation Army Church on Cedar Hill Ms. Susanne Fisher; associated Mr. D. P. Lister, Mr. R. W. Scott and Ms. K. N. Wilson.

MR. S. G. CROCKWELL expressed condolences to the family of the late Vivian Pearman; associated Mr. R. W. Scott, and Mr. D. P. Lister; congratulation on fantastic swimming by Ms. Lisa Blackburn and her swim mates who are attending a swimming championship in Costa Rica.

MR. T. E. LISTER congratulated Mr. and Mrs. Doc Hall on their 60th Anniversary and associated Mr. C. W. D. Brown and Ms. N. Outerbridge.

MR. R. W. SCOTT congratulated Glenn Fubler for the Imagine Bermuda Event recognizing the July 2nd 1959 Theater Boycott event; congratulated Ms. Heather Jacobs.

MR. M. J. SCOTT expressed condolences for the passing of the Late Mrs. Sushila Bassett, wife of Dr. Melvin Bassett. She made a huge impact on her community; associated the entire House and the Speaker with these sentiments; associated himself with condolences on the passing of Mr. Graham Spurling.

MR. N. H. C. SIMONS sent condolences to the family of the late Ms. Debbie Bierman, a fellow equestrian; associated himself with tributes for the Spurling family and noted that Mr. Spurling's affliction did not prevent him from enjoying his life; associated himself with remarks made for Ms. Susanne Fisher; associated himself with tributes for Mrs. Sushilla Bassett

MR. R. P. COMMISSIONG congratulated the Royal Gazette and the Media Council on their new guidelines on race; he also expressed condolences to the family of the late Ms. Judith Harvey a stalwart in her community.

MR. M. H. DUNKLEY congratulated young Aaron Evans who has joined the Nike Oregon Track Team; congratulations to the U. S. Counsel General on the hosting of its recent July 4th event; congratulations to Mr. Glenn Smith on the opening of his new business "Auto Solutions"; congratulations to David Mirfield, former Assistant Police Commissioner who has recently stepped down from this role in the Serious Crime Unit.

MR. C. W. D. BROWN associated himself with congratulations for BASA and its swimmers and also Mr. Ben Smith.

MS. P. J. GORDON-PAMPLIN associated herself with congratulations for BASA and in particular Ms. Lisa Blackburn; associated herself with remarks for the Spurling family; expressed condolences to the family of the late Mr. Doulat Tolaram, a former businessman who owned "Jewel of the East".

MR. D. P. LISTER expressed condolences on the passing of the late Mr. Albert "Bill" Darrell and associated Mr. W. H. Roban; also expressed condolences to the family of Mrs. Shawnlette Simons and associated Mr. M. J. Scott.

MR. K. L. BASCOME associated himself with condolences for the family of the late Mr. Doulat Tolaram; associated himself with tributes for the Spurling family.

Notices of Motions:

MR. N. H. C. SIMONS gave notice that at the next day of meeting, he would move the following Motion:

"In an effort to ensure that Bermuda's Legislature meets the standards prescribed in the Commonwealth Parliamentary Association benchmarks for democratic legislatures; be it resolved that this Honourable House establish a Joint Select Committee to examine, make recommendations and report to this House its findings on the Legislature's management structure and governance in order to provide an efficient and effective parliamentary service to the people of Bermuda".

11:29 a.m.

Orders of the Day:

On the motion of DR. E. G. GIBBONS, the Bill entitled the "Mortgaging of Aircraft and Aircraft

Engines Amendment Act 2013" was then read a second time.

The Bill was committed.

11:35 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

DR. E. G. GIBBONS moved clauses 1-5 of the Bill.

11:38 p.m. - MR. G. A. BLAKENEY

11:38 p.m. - MR. T. E. LESTER

Clauses 1 – 5, as printed, were 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.

11:45 a.m.

On the motion of MR. E. T. RICHARDS the Bill entitled the "Public Service Superannuation Amendment Act 2013" was then read a second time.

11:50 a.m. - MR. E. D. G. BURT

11:53 a.m. - MR. T. E. LISTER

11:56 a.m. - MS. P. J. GORDON-PAMPLIN

12:08 p.m. - MS. L. F. FOGGO

12:15 p.m. - MR. E. T. RICHARDS

The Bill was committed.

12:18 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

MR. E. T. RICHARDS moved clauses 1-7 of the Bill.

12:25 p.m. - MR. E. D. G. BURT

12:26 p.m. - MR. T. E. LISTER

12:29 p.m. - MS. L. F. FOGGO

12:30 p.m. - MR. E. D. G. BURT

12:31 p.m. - MR. E. T. RICHARDS

12:31 p.m. - MR. E. D. G. BURT

Clauses 1 – 7, as printed, were 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.

12:33 p.m.

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

Madam Chair ordered that the House resume for business at 2:00 p.m.

2:00 p.m.

The House resumed.

On the motion of MR. E. T. RICHARDS the Bill entitled the "Government Loans Amendment Act 2013" was then read a second time.

MR. E. T. RICHARDS moved to Amend the title of the Bill as follows:-

"The Government Loans Amendment (No.2) Act 2013".

-which was agreed to.

2:13 p.m. - MR. E. D. G. BURT

2:15 p.m. - MR. E. T. RICHARDS

2:16 p.m. - MR. E. D. G. BURT

2:37 p.m. - MR. W. L. FURBERT

2:57 p.m. - MR. S. G. CROCKWELL

3:08 p.m. - MR. R. P. COMMISSIONG

3:20 p.m. - MS. P. J. GORDON-PAMPLIN

3:36 p.m. - MR. W. L. SCOTT

3:44 p.m. - MS. K. N. WILSON

3:58 p.m. - MR. G. A. BLAKENEY

4:10 p.m. - MR. M. A. R. BEAN

The Bill was committed.

5:10 p.m. - MS. S. ROBERTS-HOLSHOUSER in the Chair.

MR. E. T. RICHARDS moved clauses 1-5 of the Bill.

5:15 p.m. - MR. E. D. G. BURT

5:17 p.m. - MR. E. T. RICHARDS

5:19 p.m. - MR. E. D. G. BURT

5:21 p.m. - MR. E. T. RICHARDS

Clauses 1 – 5, as amended, were agreed to.

The Preamble was agreed to.

The Committee rose.

The House resumed.

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

5:25 p.m. - His Honour the SPEAKER in the chair.
Order numbers 4-5 were carried over to the next meeting day.

5:27 p.m.

MR. W. L. FURBERT moved the following motion which was given on 7th June, 2013:-

"This Honourable House believes that as a measure of good Governance, all consultancy contracts over and above \$50K should be laid before Parliament within thirty days of the signing.

MR. W. L. FURBERT moved that his motion be amended as follows:-

Add "with exemptions for contracts directly dealing with national security, defense, investigations and proceedings, law enforcement, court records, audit functions, and Government Policy"

-which was agreed to.

5:27 p.m.

MR. M. J. PETTINGILL moved that the amended Motion be amended by deleting the word "**should**" and substitute "**may**".

-which was agreed to.

5:30 p.m. - MR. E. T. RICHARDS

5:31 p.m.

His Honour the Speaker announced a third amendment to the motion:-

"To delete the words "and Government Policy" from the Amendment Moved by Mr. W. L. Furbert"

-Which was agreed to.

The final amended motion read as follows:-

"This Honourable House believes that as a measure of good governance, all consultancy contracts over and above \$50K may be laid before Parliament within thirty days of the signing, with exemptions for contracts directly dealing with national security,

defense, investigations and proceedings, law enforcement, court records and audit functions".

5:35 p.m. - MR. E. T. RICHARDS

5:50 p.m. - MR. W. L. FURBERT

5:55 p.m. - MR. C. W. D. BROWN

5:57 p.m. - MR. M. A. R. BEAN

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

- which was agreed to.

6:25 p.m.

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "The Public Service Superannuation Amendment Act 2013" be now read the third time, which was agreed to.

On the motion of MR. E. T. RICHARDS, the Bill entitled the "The Public Service Superannuation Amendment Act 2013" was then read the third time and passed.

DR. E. G. GIBBONS moved that Standing Order 14 be suspended to allow him to present the "Bermuda Educators Council Amendment Order 2013", which was agreed to.

DR. E. G. GIBBONS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "Bermuda Educators Council Amendment Order 2013" be now read the third time, which was agreed to.

On the motion of DR. E. G. GIBBONS, the Bill entitled the "Bermuda Educators Council Amendment Order 2013" was then read the third time and passed.

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bill entitled "The Government Loans Amendment (No.2) Act 2013" be now read the third time, which was agreed to.

On the motion of MR. E. T. RICHARDS, the Bill entitled the "The Government Loans Amendment (No.2) Act 2013" was then read the third time and passed.

6:27 p.m.

MR. L. C. CANNONIER moved that the House, adjourn to Friday, July, 5th 2013 at 10:00 a.m., which was agreed to.

6:28 p.m. - MR. S. G. CROCKWELL

6:31 p.m.

The House adjourned to Friday, 12th July, 2013 at
10:00 a.m.