



BERMUDA HOUSE OF ASSEMBLY

Official House Minutes

May 30, 2014

Electronic Version

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

Disclaimer: The electronic version of these *Official House Minutes* is for informational purposes only.

**Proceedings
of the
Honourable House of Assembly
Session of 2013-2014**

No. 22

Friday, May 30th, 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, Dennis P. Lister, Terry E. Lister, Trevor G. Moniz, Nandi S. Outerbridge, Mark J. Pettingill. Everard T. Richards, Sylvan D. Richards, Walter H. Roban, Suzann Roberts-Holshouser, 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.

TO HIS HONOUR THE SPEAKER:

10:03 a.m. Prayer

Confirmation of Minutes:

Minutes to the meeting of May 23, 2014 were deferred.

I have the honour to attach and submit for the information of the Honourable House of Assembly the following:-

10:06 a.m.

“Annual Report of the Registry General for the Year ending 31 December 2013”

Announcements by the Speaker:

MR. S. D. RICHARDS
Junior Minister for Home Affairs

His Honour the Speaker announced the appointment of new Members to the following committees to replace Ms. J. J. Atherden the new Minister of Health Seniors and Environment:-

Sessions House,
30 May, 2014.

Public Accounts Committee: Mr. M. A. Weeks

MR. S. D. RICHARDS read the following communication to His Honour the SPEAKER.

Committee on the Office of the Auditor: Ms. N. S. Outerbridge

TO HIS HONOUR THE SPEAKER:

Committee on Register of Members Interest: Ms. S. E. Jackson

I have the honour to attach and submit for the consideration of the Honourable House of Assembly the following:-

His Honour the Speaker announced the appointment of new Members to the following committee:-

Deed of Surrender between Par-la-Ville Hotel and Residences Ltd. (“the Tenant”), the Corporation of Hamilton (“the Landlord”) and Mexico Infrastructure Finance LLC (“the Mortgagee”).

Standing Orders Committee:

MR. M. H. DUNKLEY

Guaranty by the Corporation of Hamilton (“the Guarantor”) in respect of the loan by Mexico Infrastructure Finance LLC (“the Lender”) to Par-la-Ville Hotel and Residences Ltd. (“the Borrower”).

10:08 a.m.

Papers and other Communications to the House:

MR. S. D. RICHARDS read the following communication to His Honour the SPEAKER.

Mortgage Deed between Mexico Infrastructure Finance LLC (“the Lender”), Par-la-Ville Hotel and

Residences Ltd. (“the Borrower”) and the Corporation of Hamilton (“the Mortgagor”)

MR. S. D. RICHARDS
Junior Minister for Home Affairs

Sessions House,
30 May, 2014.

10:10 a.m.

Statements by Minister and/or Junior Ministers:

MR. M. H. DUNKLEY made a Ministerial Statement on the "Bermuda Hospitals Charitable Trust Why It Matters Campaign".

MS. L. K. SCOTT made a Ministerial Statement on "Autism Awareness".

DR. E. G. GIBBONS made a Ministerial Statement on "Middle School Leadership Training".

MS. J. J. ATHERDEN made a Ministerial Statement on "STEPS to a Well Bermuda".

MR. R. W. E. SCOTT made a Ministerial Statement on "Reflections of Bermuda Day 2014".

MR. S. G. CROCKWELL made a Ministerial Statement on the "Aviation Policy Consultative Conference".

MS. P. J. GORDON-PAMPLIN made a Ministerial Statement on the "Completion of Gibb’s Hill Lighthouse General Renovations".

10:59 a.m.

Reports of Committee:

MR. T. E. LISTER presented the report of the Parliamentary Joint Select Committee on the Adoption of a Mandatory Random Drug Testing Policy for Members of the Legislature.

11:03 a.m.

Question Period:

MR. E. T. RICHARDS provided oral responses to parliamentary questions from Hon. Terry Lister

relating to moneys repatriated to other countries as remittances.

MR. T. E. LISTER asked Mr. E. T. Richards a supplementary question.

MR. T. E. LISTER asked Mr. E. T. Richards a question.

MR. T. E. LISTER asked Mr. E. T. Richards a supplementary question.

MR. T. E. LISTER asked Mr. E. T. Richards a second supplementary question.

MR. T. E. LISTER asked Mr. E. T. Richards a second question.

MR. T. E. LISTER asked Mr. E. T. Richards a supplementary question.

MR. T. E. LISTER asked Mr. E. T. Richards a second supplementary question.

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

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

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

MR. Z. J. S. DESILVA asked Mr. M. H. Dunkley a question on his Ministerial Statement regarding "Bermuda Hospitals Charitable Trust Why It Matters Campaign".

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

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

11:25 a.m.

MS. L. F. FOGGO asked Ms. L. K. Scott a question on her Ministerial Statement on Autism Awareness.

MR. T. E. LISTER asked Ms. L. K. Scott a supplementary question.

MR. T. E. LISTER asked Ms. L. K. Scott a second supplementary question.

MS. L. F. FOGGO asked Dr. E. G. Gibbons a question on his Ministerial Statement Middle School Leadership Training.

MR. Z. J. S. DESILVA asked Ms. J. J. Atherden a question on his Ministerial Statement on STEPS to a Well Bermuda.

MR. Z. J. S. DESILVA asked Ms. J. J. Atherden a supplementary question.

MR. Z. J. S. DESILVA asked Ms. J. J. Atherden a second supplementary question.

MR. Z. J. S. DESILVA asked Ms. J. J. Atherden a second question.

MR. C. W. D. BROWN asked Ms. J. J. Atherden a supplementary question.

MR. C. W. D. BROWN asked Ms. J. J. Atherden a second supplementary question.

MR. M. A. WEEKS asked Mr. R. W. E. Scott a question on his Ministerial Statement regarding Reflections of Bermuda Day 2014.

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

MR. W. L. A. SCOTT asked Mr. R. W. E. Scott a supplementary question.

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

MR. E. D. G. BURT asked Mr. R. W. E. Scott a question.

MR. E. D. G. BURT asked Mr. R. W. E. Scott a supplementary question.

MR. W. H. ROBAN asked Mr. R. W. E. Scott a supplementary question.

MR. Z. J. S. DESILVA asked Mr. R. W. E. Scott a supplementary question.

MR. Z. J. S. DESILVA asked Mr. R. W. E. Scott a second supplementary question.

MR. W. L. A. SCOTT asked Mr. S. G. Crockwell a question on his Ministerial Statement regarding the Aviation Policy Consultative Conference.

MR. W. L. A. SCOTT asked Mr. S. G. Crockwell a supplementary question.

MR. W. H. ROBAN asked Mr. S. G. Crockwell a question.

MR. W. H. ROBAN asked Mr. S. G. Crockwell a second question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a supplementary question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a second supplementary question.

MR. T. E. LISTER asked Mr. S. G. Crockwell a question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a supplementary question.

MR. M. A. R. BEAN asked Mr. S. G. Crockwell a second supplementary question.

MR. T. E. LISTER asked Mr. S. G. Crockwell a supplementary question.

12:01 p.m.

MR. Z. J. S. DESILVA asked Ms. P. J. Gordon-Pamplin a question on her Ministerial Statement on the Completion of Gibb's Hill Lighthouse General Renovations.

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

12:04 p.m.

MR. R. W. E. SCOTT sent congratulations to the Bermuda National Women's Football Team on their victories in recent international competitions in the Caribbean; and the Bermuda Track and Field Team on their success at the World Relays event in Bahamas.

MS. L. F. FOGGO associated herself with congratulating the Bermuda Relay Team; associated herself with congratulating the St. David's Cricket

Club on winning the BELCO cup; sent condolences to the family of the late Ms. Judith Fox, a very colorful Member of the St. David's community.

MR. G. C. SMITH associated himself with condolences for the family of the late Mr. Cyril "Hooks" Cooper.

MR. Z. J. S. DESILVA associated himself with congratulating the Bermuda National Women's Football Team; sent congratulations to B. F. & M Insurance for their new online claims and payments process.

MR. J. C. SOUSA sent congratulations to all organizers and participants in the Bermuda Day Parade; congratulations to Mr. Jason Sukdeo who drove the Soca truck in the Bermuda Day Parade; associated himself with congratulating the Bermuda National Women's Football Team;

MR. W. L. A. SCOTT associated himself with congratulating Mr. Jason Sukdeo.

MR. S. G. CROCKWELL expressed condolences on the passing of world famous poet Ms. Maya Angelou, a legend in the literary world and great inspiration to millions of people around the world.

MR. M. A. R. BEAN associated himself with remarks for the late Dr. Maya Angelou; associated all members of the house; sent condolences for the late Mr. Winslow Dill; sent condolences to the late Mr. Kenneth "Smokey" Thompson; associated himself with condolences for the late Carol Raynor.

MS. P. J. GORDON-PAMPLIN sent condolences to the family of the late Mr. Sinclair Simons, who was a well known Mason and ladies man; herself with remarks for the late Dr. Maya Angelou, sent congratulations to CedarBridge Academy students on their outstanding tribute to Dr. Maya Angelou less than 24 hours after her passing.

MR. T. E. LISTER sent congratulations to the Bermuda Day Junior Classic winners; congratulations to Mr. Gladwin Smith on his tremendous contribution to building many of the Floats in the Bermuda Day Parade over the years and winnings the Premiers Award; condolences for Mr. Winslow "Socks" Dill, a former Policeman; congratulations to new persons Promoted in the Bermuda Prisons Department of Corrections.

MS. S. ROBERTS-HOLSHOUSER sent congratulations to Mr. Malcolm Gosling on his great

marketing success in promoting Bermuda and Gosling's Rum internationally; acknowledged the Speakers article appearing in the latest Parliamentarian Magazine.

MR. W. H. ROBAN associated himself with congratulations to those promoted at the Department of Corrections; congratulated Mr. Ricky Spence on Hosting a Special Wellness Event for the Men of Bermuda on the weekend at his shop; associated all Members.

MR. M. H. DUNKLEY sent congratulations to Captain Graham Benjamin on completing 36 years of service in the Bermuda Regiment and retiring as a Quartermaster; congratulations to Sergeant Major Kenneth Wainwright on his promotion to Quartermaster; congratulations to Owners of new "Snug Cafe", which has just opened on Front Street; sent congratulations to Mr. Garland and associates on the success of Flanagan's Group and their active employment of Bermudians; associated Mr. M. A. R. Bean and Mr. S. G. Crockwell.

12:34 p.m.

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

The Chair ordered that the House resume at 2:05 p.m.

2:05 p.m.

The House Resumed

Introduction of Bills:

MR. R. W. E. SCOTT on behalf of Ms. J. J. Atherden, introduced the following Public Bill for its first reading: "Protected Species Amendment Act 2014".

Notices of Motion:

MR. T. E. LISTER gave notice that at the next day of meeting he would move the following Motion:

"That this Honourable House approves the Report of the Parliamentary Joint Select Committee on the Adoption of a Mandatory Random Drug Testing Policy for Members of the Legislature."

MS. P. J. GORDON-PAMPLIN, on behalf of Ms. L. K. Scott, gave notice that at the next day of meeting, he would move the following Motion:

“That as a measure of good governance, BE IT RESOLVED by this Honourable House that a Select Committee of the House be appointed to examine and review the viability of establishing a national election campaign financing policy, and to report its findings and recommendations to this Honourable House.”

MR. M. A. R. BEAN - gave notice that at the next day of meeting, he would move the following Motion:

“That this Honourable House censures the Member for Southampton West Central, the Hon. Shawn Crockwell, JP, MP and the Member for Warwick North East, the Hon. Mark J. Pettingill, JP, MP:

(a) Having had responsibility as Ministers, as Attorney General in the case of the Member from Warwick North East, and as the Minister of Tourism Development and Transport in the case of the Member for Southampton West Central, failed to respect the Ministerial Code of Conduct and failed to apprehend or acknowledge the seriousness and or gravity of their acts and omissions for breaching the Ministerial Code of Conduct, in two material particulars, namely; Code V by failing to give accurate and truthful information to Parliament in connection with a private flight to Washington D. C. on March 20th, 2013, the purpose of which said flight was to provide air transport to Washington DC in order to meet with potential hotel and casino developer, and Code XVII, accepting the following favours, namely free air transportation and hotel accommodation from an individual(s) who are in negotiations with or seeking to enter into contractual or proprietary or pecuniary relations with the Government of Bermuda.

(b) Failed, as elected Members of the Legislature, to inform this Honourable House of the full nature and extent of their involvement in connection with the above trip at the earliest opportunity, in particular, failed to inform this Honourable House fully as to the involvement of a private citizen on both the flight on March 20th, 2013 and the subsequent meeting in Washington DC on March 21st, 2013 and, in so doing, contributed to the Honourable House being misled on the details of the said flight and said meeting on March 21st, 2013 in Washington DC.

(c) Failing to appreciate, apprehend or grasp the level of public disquiet that had arisen as a result of their failures in (b) above.

(d) Following the resignation of the Member for Devonshire South Central as Premier, further failing to apprehend public disquiet over the said events and their involvement, and in the case of the Member from Southampton West Central, failing to tender his resignation as Minister as a result of the above.

(e) In the case of the Member of Warwick North East, for the role he played in advising the former Premier that the said flight and meeting in Washington would not constitute a breach of the Ministerial Code cited in (a) above, and for continuing to assert publicly, following the resignation of the Member of Devonshire South Central as Premier.

2:19 p.m.

Orders of the Day:

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

MR. M. H. DUNKLEY moved the following motion, notice of which was given on 9th May, 2014:-

“That this Honourable House take note of the Cannabis Reform Collaborative Report tabled in the House on 9th May, 2014.”

2:45p.m. - MR. W. H. ROBAN

3:20p.m. - MR. M. J. PETTINGILL

His Honour the Speaker recognized in the Public Gallery the Black Young People's Organization visiting from overseas.

3:50p.m. - MR. C. W. D. BROWN

4:16p.m. - MR. K. L. BASCOME

4:22p.m. - MR. Z. J. S. DESILVA

4:38p.m. - MS. J. J. ATHERDEN

5:00p.m. - MR. M. A. WEEKS

5:07p.m. - MS. N. S. OUTERBRIDGE

5:12p.m. - MS. K. N. WILSON

5:33p.m. - MR. G. C. SMITH

5:42p.m. - MS. P. J. GORDON-PAMPLIN

6:07p.m. - MR. M. J. SCOTT

6:25p.m. - MR. S. G. CROCKWELL

6:51p.m. - MR. T. E. LISTER

7:03p.m. - MS. L. K. SCOTT

7:07p.m. - MS. S. E. JACKSON

7:20p.m. - MR. G. A. BLAKENEY
7:44p.m. - MS. S. ROBERTS-HOLSHOUSER
7:55p.m. - MR. N. H. C. SIMONS
8:18p.m. - MR. J. C. SOUSA
8:29p.m. - MR. R. P. COMMISSIONG
8:50p.m. - MR. E. D. G. BURT
9:17p.m. - MR. M. A. R. BEAN

Order numbers 3-4 were carried over to the next business day.

9:50 p.m.

MR.M. H. DUNKLEY moved that the House do adjourn to Friday, 21st June, 2013, which was agreed to.

9:51p.m. - MR. D. V. BURGESS
9:55p.m. - MR. E. D. G. BURT
9:59p.m. - MR. W. L. FURBERT
10:00p.m. - MR. Z. J. S. DESILVA
10:18p.m. - MR. M. H. DUNKLEY

10:27 p.m.

Adjourned to Friday, June 6, 2014