



BERMUDA HOUSE OF ASSEMBLY

Official House Minutes

March 08, 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.7

Friday, March 08, 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, Craig L. Cannonier, Rolfe P. Commissiong, Shawn G. Crockwell, Nandi S. Davis, Zane J.S. DeSilva, Michael H. Dunkley, Lovitta F. Foggo, Wayne L. Furbert, Dr. Edmund G. G. Gibbons, Patricia J. Gordon-Pamplin, Susan E. Jackson, Dennis P. Lister, Terry E. Lister, Trevor G. Moniz, Mark J. Pettingill. Everard T. Richards, Sylvan D. Richards, Walter H. Roban, Suzann Roberts-Holshouser, Michael J. Scott, R. Wayne Scott, W. Lawrence Scott, N.H. Cole Simons, Glen C. Smith, Jefferson C. Sousa, Michael A. Weeks, Kim N. Wilson.

10:00 a.m. Prayer

Parliamentary Joint Select Committee on the Register of Members' Interests.

Confirmation on Minutes:

Minutes of 4th March, 2013 were confirmed.

Senator the Hon. Carolanne M. Bassett, J.P.
President

The Minutes for the Meeting of 6th March 2013 were deferred.

20th February, 2013.

Announcements by the Speaker:

His Honour the SPEAKER announced that he received apologies for the absence of the following Honourable Member MS. L.K. SCOTT, as she is overseas on business.

10:07 a.m.

Statements by Ministers and Junior Ministers:

MR. M. H. DUNKLEY made a ministerial statement regarding the Crackdown on Cell Phones in Prisons.

Message from the Senate:

(No.1)

TO HIS HONOUR THE SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

I am pleased to announce the appointment of Senator Joan E. Dillas-Wright, MBE, JP and Senator Lynne A. Woolridge, JP to serve as the Senate's representatives on the Standing Parliamentary Joint Select Committee on Private Bills. I am further pleased to announce the appointment of Senator Diallo V.S. Rabain, JP and Senator Marc G. Daniels, JP to serve as the Senate's representatives on the Standing

10:15 a.m.

Question Period:

MR. G. A. BLAKENEY asked Mr. M. H. Dunkley a question regarding his statement concerning a merit system implemented in conjunction with the new policy concerning the crackdown on cell phones on the prison.

MR. C. W. D. BROWN asked Mr. M. H. Dunkley a question regarding his Ministerial Statement.

MR. M. J. SCOTT asked Mr. M. H. Dunkley a

question on the PIN system used in prison.

MR. M. A. WEEKS asked Mr. M. H. Dunkley a question about the use of modern technology on the Skype used in prison.

10:20 a.m.

Congratulatory and Obituary Speeches:

MR. W. L. SCOTT recognized Women's International Day in Bermuda and Honoured Dame Lois Browne-Evens.

MR. R. W. SCOTT congratulated Mr. Gary Fray on being awarded an TCC Global Development Programme Award for a lifetime of services to cricket in Bermuda. Congratulated female Bermudian Signe Constable awarded her Shodan rank (1st Degree Black Belt) at the Aikido Hombu Dojo World Headquarters in Shinjukuku, Tokyo, Japan. At just 18 years of age, she is Bermuda's youngest female blackbelt in the Japanese art. The Hon. Minister also congratulated Delroy Rawlins on his debut for The Bermuda National Cricket Senior Team during the last month BCB Training tour to Barbados; Special condolences went out to the family of the late Mr. Eric James MacDonald Godwin and heartfelt condolences to the family of Keivon Scott on the passing of her four years old daughter Kei-Anne Scott-Bean.

MR. G. A. BLAKENEY sent out congratulations to Ms. Katura Horton-Perinchief on her Alma Marter at the University of Texas opening the Olympian Plaza when she received her own incredible plaque, which will be on display in perpetuity.

MR. D. P. LISTER Expressed condolences to the family of the late Mr. Martin Richard Bulford; associated himself with the remarks of

Mr. M. A. R. Bean made earlier this week Monday March 6th 2013; also associated himself with the remarks made for Ms. Katura Horton-Perinchief on her achievements.

HIS HONOUR THE SPEAKER recognized Youth Parliamentarian Ms. Middleton who was serving as a page in the House.

MR. R. P. COMMISSIONG congratulated Renascence Re for its sponsorship of five young Bermudians allowing them to participate in the Bermuda Refinance Seminar held at the Fairmont Southampton Princess.

MR. E. D. G. BURT associated himself with congratulatory remarks made by Mr. Blakeney to Ms. Katura Horton-Perinchief; also associated himself with congratulations to Patrice F. Hayward.

10:31 a.m.

Orders of the Day:

MR. E. T. RICHARDS moved that the House do now resume in Committee of Supply to consider the Estimates of Revenue and Expenditure for 2013/2014, which was agreed to.

MRS. S. ROBERTS-HOLSHOUSER m the Chair.

10:33 a.m.

MR. T. G. MONIZ moved Heads 36 Ministry of Public Works HQ, 81 Public Lands and Buildings, and 82 Works and Engineering.

12:06 p.m. - MR. D. V. BURGESS

The Chair acknowledged former Minister and Member of Parliament Mrs. P. K. Minors sitting in the Public Gallery.

12:33 p.m.

MR. L. C. CANNONIER moved that the House do now recess for lunch, which was agreed to. The Chairman ordered that the Committee resume at 2:00 p.m.

2:00 p.m.

The Committee Resumed

MR. C. W. D. BROWN in the Chair.
2:00 p.m. - MR. D. V. BURGESS continued.
2: 15 p.m. -MR J. C. SOUSA
2:25 p.m. - MR. W. H. ROBAN
2:34 p.m. - MR. Z. J. S. DESILVA

2:37 p.m. MRS. S. ROBERTSHOLSHOUSER
 2:46 p.m. - MR. D. P. LISTER
 2:50 p.m. - MR. M. H. DUNKLEY
 2:58 p.m. - MR. T. G. MONIZ

3:03 p.m.

MR. T. G. MONIZ moved Heads 36 Ministry of Public Works HQ, 81 Public Lands and Buildings, and 82 Works and Engineering be approved, which was agreed to.

3:04 p.m.

MRS. P. J. GORDON-PAMPLIN moved Heads 21 Ministry of Health and Seniors HQ, 22 Dept. of Health, 24 Hospitals, and 91 Health Insurance.

3:21 p.m.

The Chair recognized the presence of former Premier, the Hon. Dr. Ewart F. Brown, and former Shadow Minister of Health and Seniors Mrs. Louise A. Jackson in the Speakers Gallery.

3:21 p.m. - MRS. P. J. GORDON-PAMPLIN continued.

3:33 p.m. The Chairman noted the presence in the chamber of the Bermuda Youth Parliament Member Mr. Faiz Shakir of the Berkeley Institute who will serve as a page in the Chamber.

3:59 p.m. - MS. S. E. JACKSON in the Chair.

6:28 p.m. MRS. P. J. GORDON-PAMPLIN concluded.

6:28 p.m. MR. Z. J. S. DESILVA Happy Birthday to the Permanent Secretary Mr. Kevin Monkman whose will be celebrating his Birthday on March 9th.

7:48 p.m. - MR. T. E. LISTER
 7:58 p.m. - MR. W. H. ROBAN
 8:00 p.m. - MRS. P. J. GORDON-PAMPLIN

8:04 p.m. - MRS. P. J. GORDON-PAMPLIN moved Heads 21 Ministry of Health and Seniors HQ, 22 Dept. of Health, 24 Hospitals, and 91

Health Insurance, be approved, which was agreed to.

8:04 p.m.

MR. E. T. RICHARDS moved that the Committee rise, report progress and ask for leave to sit again.

- which was agreed to.

The Committee rose.

The House resumed.

The Committee was granted leave to sit again.

Orders of the Day:

8:07 p.m.

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

8: 17 p.m. - MR E. G. D. BURT
 8:23 p.m. - MRS. J. J. ATHERDEN
 8:24 p.m. - MR. C. W. BROWN
 8:26 p.m. - MR. W. L. FURBERT
 8:32 p.m. - MR. W. L. SCOTT
 8:35 p.m. - MR. G. A. BLAKENEY
 8:40 p.m. - MR. W. H. ROBAN
 8:42 p.m. - MR. M. A. R. BEAN
 8:48 p.m. - MRS. S. ROBERTSHOLSHOUSER
 8:51 p.m. - MRS. P. J. GORDON-PAMPLIN
 8:54 p.m. - MR. R. P. COMMISSIONG
 9:04 p.m. - MR. E. T. RICHARDS
 9:15 p.m. - MR. M. J. SCOTT

The Bill was committed.

9:18 p.m. MRS. S. ROBERTSHOLSHOUSER in the Chair.

9: 18 p.m. - MR. E. T. RICHARDS moved Clauses 1-3 and proposed Amendments to clause 2(a) (ii) and Clause 2(b) of the Bill:-

That the Payroll Tax Amendment Bill 2013 be amended-
 (a) in clause 2(a)(ii), in the newly inserted section 9(2)(f) -

(i) by, after subparagraph (iii), inserting -

“(iv) at the time he becomes so employed, he had not been an employee of the employer, or of any other employer, at any time during the immediately preceding three months;”; and

(ii) by renumbering the existing subparagraphs (iv) and (v) as (v) and (vi) respectively; and

(b) in clause 2(b), in the newly inserted section 9(2A)-

(i) by deleting the words “subsection (2)(f)(v)” and substituting the words “subsection (2)(f)(vi)”; and

(ii) by deleting the words “at the standard rate”.

9:23 p.m. - MR. E. D. BURT
 9:25 p.m. - MR. T. E. LISTER
 9:27p.m. - MR. M. A. R. BEAN
 9:30 p.m. - MR. M. J. PETTINGILL
 9:33 p.m. - MR. W. L. FURBERT
 9:36 p.m. - MR. E. D. G. BURT
 9:37 p.m. - MR. M. J. PETTINGILL
 9:41 p.m. - MRS. J. J. ATHERDEN
 9:42 p.m. - MR. M. A. R. BEAN
 9:44 p.m. - MR. E. T. RICHARDS
 9:45 p.m. - MR. W. L. FURBERT
 9:48 p.m. - MR. E. T. RICHARDS
 9:49 p.m. - MR. T. E. LISTER

Amendments to Clause 2(a) (ii) and Clause 2(6) of the Bill were agreed to.

9:52 p.m.

MR. E. T. RICHARDS moved Clauses 1-3, as amended.

Clauses 1-3, as amended, were agreed to.

The Preamble was agreed to.

The Committee Rose, the House Resumed.

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

9:56 p.m.

On the motion of MR. E. T. RICHARDS the Bill entitled the “Payroll Tax Rates Amendment Act 2013” was then read a second time.

The Bill was Committed.

9:58 p.m. MRS. S. ROBERTSHOLSHOUSER in the Chair.

MR. E. T. RICHARDS moved Clauses 1-3

10:00 p.m. - MR. E. D. G. BURT
 10:01 p.m. - MR. E. T. RICHARDS

Clauses 1-3 as printed were agreed to.

The Preamble was agreed to.

The Committee Rose, the House resumed.

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

Orders 4-6 were carried over by Orders of the Speaker.

MR. E. T. RICHARDS moved that Standing Order 21 be suspended to enable him to move that the Bills entitled the “Payroll Tax Amendment Act 2013” and the “Payroll Tax Rates Amendment Act 2013” be now read the third time, which was agreed to.

On the motion of MR. E. T. RICHARDS, the Bills entitled the “Payroll Tax Amendment Act 2013” and the “Payroll Tax Rates Amendment Act 2013” were then read a third time by their titles only and passed.

MR. L. C. CANNONIER moved that the House, at its rising do adjourn to Friday, 11th March, 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.

10:04 p.m. - MR. M. A. WEEKS
 10:09 p.m. - MR. M. A. R. BEAN
 10:27 p.m. - MR. S. G. CROCKWELL
 10:35 p.m. - MR. R. W. E. SCOTT

10:38 p.m.

The House adjourned to Monday, 11th March,

2013 at 10:00 a.m.