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PRELIMINARY

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TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

10:00 a.m. - 1:00 p.m.

FRIDAY, DECEMBER 14, 1979

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER: (Simms)

Order, please!

STATEMENTS BY MINISTERS

MR. SPEAKER:

The hon. the Minister of Tourism,

Recreation and Culture.

MR. POWER:

Mr. Speaker, I have two ministerial statements I would like to make, first on souvenirs and promotional materials as they relate to our department and other government departments.

I would like to announce today the new policy of this government relating to the purchasing of souvenirs and promotional materials for all government departments. As you are already aware, Mr. Speaker, the Department of Tourism, Recreation and Culture, the Department of Industrial Development, the Premier's Office, and all other government departments spend a fairly considerable amount of money each year on these very necessary items.

For some time now, we have been concerned that Newfoundland and Labrador souvenirs of the 'made in Japan' variety and type were not thoroughly in keeping with this Province's provincial image. As a government, we have decided that all souvenirs and promotional type materials purchased by this government must be produced in the Province of Newfoundland and Labrador.

The only exception to this will be the small Newfoundland type pins which are so common and which, so far, have not been produced in this Province.

This new policy is in keeping with this government's overall policy of supporting local industry and assisting in every way possible the employment of our work force.

We intend, particularly, to purchase crafts and works of art and the like produced by our local residents. We feel certain that this move will add some degree of stability to this type of venture. I would like for any individual or company which produces such commodities in Newfoundland and Labrador to contact my office so that

MR. POWER: a suitable catalogue of Newfoundland and Labrador items might be compiled.

Mr. Speaker, if I have leave to do a second ministerial statement before the Opposition comments?

MR. SPEAKER: (Simms) Is it agreed? Agreed.

MR. POWER: Thank you.

Mr. Speaker and all hon. members of this hon. House of Assembly, I am delighted and proud to be able to announce the formation of the first Arts Council for Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. POWER: Since this present administration has taken office, we have placed a great deal of emphasis and importance on the preservation of our heritage and enhancement of our culture. One of our earliest election commitments was the formulation of an Arts Council for our Province. We made this one of our most basic commitments because we are of the firm belief that Newfoundland and Labrador is on the verge of great economic activity and, although we are excited at this prospect, we do not intend to allow development of any kind to change our basic way of life.

We, as a government, being fully cognizant of our past and diligent towards the responsibilities of the future, are determined that we shall progress; however, that we shall not be consumed by progress.

The Arts Council will have as its objectives to foster and promote the study and enjoyment and production of works in the arts, to foster and promote through grants and otherwise the traditional arts of the Province and the arts of groups indigenous to the Province, to assist, through grants and otherwise, in the development of provincial, amateur and professional artists and art organizations, and to advise the government with respect to the development of arts within the Province.

The funding of arts in Newfoundland and Labrador through the Arts Council will be based on funds received from the Public Treasury, of course, and also from private sources.

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MR. POWER:

The Arts Council will be registered as a charity for the purposes of the Income Tax Act, and we, as a government, are optimistic that the community at large will appreciate the great value of the Arts Council and contribute to its funds.

MR. C. POWER: In selecting the members of the first Arts Council, Mr. Speaker, we have tried to be truly representative of all geographic areas of the Province. We realize that it was quite impossible to have all sections of the arts community represented; however, we are convinced that these twelve persons selected would be truly dedicated to all the interests of all the Arts community.

The following persons will comprise the Arts Council, to hold office for three years, Dr. George Story, Mr. Aiden Maloney, Mr. Ray Condon, Mr. Michael Cook and Mrs. Diane Butt; and to hold office for a period of two years, Dr. Harold Carew, Mr. Roy Babstock, Mrs. Doris Saunders, Mr. Neil Murray, Mrs. Helen Sheppard and Mr. Joan Berlin and Mrs. Joan Crawford. I would also like to add that Mrs. Edith Goodridge, Curator at Memorial University Art Gallery, has been selected Executive Director of the Arts Council for a one year period starting January 1st, 1980. Mr. George Story has consented to be Chairman and Mr. Aiden as Vice-Chairman for a one year period after which time the Arts Council will select and elect its Chairman and Vice-Chairman on an annual basis.

Mr. Speaker, I am sure that all hon. members and indeed all residents of the Province wish these members well in their duties. All of realize full well that we will all benefit in Newfoundland and Labrador from the preservation of our proud heritage and enhancement of our wonderful culture.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER: (Sinms) The hon. the Leader of the Opposition.

MR. D. JAMIESON: Mr. Speaker, this is one occasion when it will not be at all difficult to adhere to your admonition that responses to ministerial statements be short and to the point. All I need to say is that we agree totally with these announcements made by the Minister of Tourism, Recreation and Culture (Mr. C. Power) among many other things this morning. I must confess that I hope that on the souvenirs that he can come through with something worthwhile.

MR. D. JAMIESON: because we have had some pretty shabby stuff and it is a very good thing to know that we are able, and I am sure we are able in this Province, to produce something that is distinctive and appreciated by the recipient. I might say that, by the way, one of the things that I was able to do during my period in federal politics was to ensure that most of the gifts that were given were Newfoundland items.

SOME HON. MEMBERS: Hear, hear.

MR. D. JAMIESON: And I was amazed at the variety that was there to be drawn from.

On the Arts Council, we have, on many occasions in the past, of course, said that this was a very worthwhile initiative and one, I am quite certain, that will help to enhance and to give us a better appreciation of our distinctive heritage and culture and I compliment the minister on both of these statements.

SOME HON. MEMBERS: Hear, hear.

ORAL QUESTIONS

MR. SPEAKER: (Silms) The hon. the Leader of the Opposition,

MR. D. JAMIESON: Mr. Speaker, I have a question for the hon. the Premier. Given the events of last evening, I wondering whether he is - and I guess before I ask the question that he probably has not - but could he indicate whether indeed the Budget measures, those which involve Newfoundland, what their status is now? Has he been in touch or has anyone been in touch with him so that our people can know whether or not they must anticipate these various changes in the Budget which now, of course, are in limbo?

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MR. SPEAKER: (Simms)

The hon. the Premier.

PREMIER PECKFORD:

No, Mr. Speaker, we have not been in touch yet this morning. We hope to be in touch as soon as the office is open in Ottawa.

MR. E. ROBERTS:

They were open all night, were they not?

PREMIER PECKFORD:

Some offices, they were not necessarily the government offices. I would say they were more the party offices than they were the government offices.

MR. E. ROBERTS:

Not the present one, the next one. The next government.

PREMIER PECKFORD:

Oh, the next government.

MR. E. ROBERTS:

Want to wager on it?

SOME HON. MEMBERS:

Oh, oh!

MR. E. ROBERTS:

Want to go for another bottle of champagne?

MR. SPEAKER:

Order, please!

MR. E. ROBERTS:

What is Your Honour's orders?

PREMIER PECKFORD:

I have from time to time, Mr. Speaker, found myself in the position of chairing a number of meetings around the Province and if hon. members on both sides of the House want to participate in some kind of a discussion I would be only to glad to relieve the Speaker of his role and stand here and continue to listen to the interchange between both sides.

In response, seriously, to the question by the Leader of the Opposition, no, I do not know. I heard various comments over the evening and early this morning from people in Ottawa, but there had not been any consensus at that point in time as to just what follow through there would be so we are waiting until the offices open this morning to talk to the appropriate officials about what follow through and some of the ministers concerned.

MR. NEARY:

Mr. Speaker, I have a question for the Minister of Mines and Energy, Sir. I am tempted to ask the Premier

MR. NEARY: if he and McGrath are going to kiss and make up but I will forego that.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: The drilling for exploration work in connection with the discovery of gold and other minerals near Burnt Island Pond near Port aux Basques, near Isle aux Morts, the drilling is now complete; could the hon. gentleman tell us if he has received the reports yet from the company and what they might indicate?

MR. SPEAKER: (Simms) The hon. Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, we had some preliminary information which indicated that there were encouraging results but we have not yet received the final reports, that I am aware of, at least they have not been brought to my attention yet. Normally it takes some time for the company to compile the data from the drilling and I expect within the next month or so we should have the results.

MR. NEARY: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary. The hon. member for LaPoile.

MR. NEARY: I gather then from the hon. gentleman's answer that 1980 may or may not see the start-up of a mine near Burnt Island Pond. Is it that encouraging, that the company are leaning towards going ahead with the development of that property and starting a mine down there?

MR. SPEAKER: The hon. Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, that is too preliminary a supposition at this stage. All I can say is that there were encouraging results and we will require more detailed information before we can say for certain whether in fact anything will get underway in 1980.

MR. SPEAKER (SIMMS): The hon. member for St. Mary's-The Capes.

MR. HANCOCK: Thank you, Mr. Speaker, I have a question for the hon. Minister of Municipal Affairs and Housing pertaining to the Newfoundland and Labrador Housing situation in Trepassey as it exists today. It is basically about the rent structure. They have had rent increases over the last year from \$90 a month and \$370 a month.

AN HON. MEMBER: What?

MR. HANCOCK: In the New Year it could go as high as \$600 to \$700 a month based on the income of both people, the man and the woman; if they are working they have to pay 25 per cent of their income, which seems a bit ridiculous in this day and age.

I wonder if the minister could tell us his situation on exactly what is happening and what the government's view is on what is going on there now?

MR. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Speaker, the units the hon. gentleman is referring to, of course, are subsidized rental units, low rental units whereby rent is geared to income and it is guaranteed that the maximum rent would not exceed 25 per cent of the income.

SOME HON. MEMBERS: Hear, hear!

MR. WINDSOR: Obviously if anybody is going to be paying \$600 a month, and I doubt that very, very much, Mr. Speaker, if he is, then he obviously has an income of \$2,400 per month and therefore does not need low income housing, indeed should be moving out of low income housing and get into an economic unit or buying their home. The units that the hon. gentleman was referring to, by the way, many of them have been sold and are available for sale. If those people are now paying that kind of rent, I am sure that they should investigate taking out a mortgage and buying those units.

MR. HANCOCK: A supplementary, Mr. Speaker.

MR. SPEAKER (SIMMS): A supplementary, the hon. member for St. Mary's-The Capes.

MR. HANCOCK: It would be beautiful to move out of them if you had something to move into, but with the interest rates and this Budget that came down the other night I say that they cannot move anywhere. Where are they going to go if they have nothing to move into? They cannot afford to go out and take out a \$100,000 mortgage to get the house that they need or they want because it is going to cost them \$300,000 in the next couple of years.

Well, Sir, during the recent election campaign the people in that area, the people concerned had a meeting with the Premier and he guaranteed them that there would be no legal action taken against them until such time as his department or the government had a chance to investigate exactly what was going on. Could the minister tell me if this has been done? And if so, has the Newfoundland and Labrador Housing been contacted by the Premier, or whoever, concerned? Have they been contacted by the Premier? Because he said there were no more legal action being taken against them.

And I have a notice here where this guy last week has gotten an eviction notice. He has to be out within a month or he has to pay his back rent, and the former minister for that area said that they would not have to pay their back rent, it is on their advice that they did not pay their back rent because he told them that they did not have to pay it, that the matter would be straightened out and has not been straightened out. And has the Premier indeed been in contact with the Newfoundland and Labrador Housing concerning the situation?

MR. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Speaker, first of all, I would like to respond to the hon. gentleman's preamble, and he says, "Where will they go?" These people have been offered these units for sale at greatly reduced prices, in fact, I think in the order of \$10,000 or \$11,000. A mortgage on that would be far less than the hon. gentleman is talking about, he is talking about \$100,000 mortgage. These people, if they are in an

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Mr. Windsor: income bracket of \$2,400 per month
combined income for a family, I am sure they can afford \$10,000 mortgage.
So there is no hardship on them; indeed, a number of these units have been
sold and a number of other persons have indicated that

MR. WINDSOR:

they wish to buy the unit that they are presently in. As it relates to discussions with housing, yes, I am continually in contact with Newfoundland and Labrador Housing Corporation and we are still reviewing this whole situation.

MR. SPEAKER: (Simms)

The hon. -

MR. HANCOCK:

Since you have been in contact

with -

MR. SPEAKER:

Order, please! A final supplementary.

The hon. member for St. Mary's - The Capes.

MR. HANCOCK:

If you have been in contact with them and they were supposed to be notified by the Premier that there were be no more legal action taken against them, how come they have to be cut within a month?

MR. SPEAKER:

The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR:

Obviously what the hon. gentleman is referring to, Mr. Speaker, is a standard notice. When somebody is in arrears - as I understand, in perhaps three or four cases there are people in arrears down there of perhaps \$2,000 or \$3,000, and they are obviously receiving a standard notice. But we are still looking at it and no action has been taken to evict them other than to send them a standard notice.

MR. SPEAKER:

The hon. member of Fogo.

MR. TULK:

Mr. Speaker, I have a question for the Minister of Social Services. It concerns the employment opportunities programme administered by his department. In the estimates, by the way, there was some \$2,600,000 allocated for community development projects. I am wondering if the minister could tell us what the status of the programme is at the present time?

MR. SPEAKER:

The hon. Minister of Social Services.

MR. HICKEY:

Mr. Speaker, all the funds are

MR. HICKEY: committed. I will not say they are all spent, because there are quite a number of projects ongoing throughout the Province. There are a host of projects that we could not attend to and I can only say to my hon. friend that we try to operate under certain criteria in terms of approving such projects. Of course, the main purpose is to give people an opportunity to come off social assistance and re-enter the labour market. That is the prime objective. But in doing that we take into account some other features, one, how long people have been in receipt of assistance and we try and take the ones who are on longest. And probably most important of all we try to do it in areas where the case loads are heaviest in order to provide some kind of relief to the workers in those offices and in those districts who are burdened with very heavy case loads. Insofar as my hon. friend is concerned, I think he will agree that we have had some projects in his district already and unfortunately one that is waiting at the moment, there are no funds to approve it, but if and when there are some savings from other projects then certainly we will be glad to give it some attention.

MR. SPEAKER: (Simms) A supplementary. The hon. member for Fogo.

MR. TULK: Mr. Speaker, I wonder if the minister would give us a listing of the programmes that are now outstanding, perhaps the number, and whether he considers that they are worthwhile programmes and, if indeed he has a great number of worthwhile projects waiting to be funded, he might tell us whether he intends to go to his Cabinet colleagues and perhaps have funds allocated for those projects so that some of the social assistance recipients and those on fixed incomes might be alleviated from the hardships that they are sure to suffer this Winter?

MR. SPEAKER: The hon. Minister of Social Services.

MR. HICKEY: Mr. Speaker, I will certainly attempt to give some indication as to the number and types of projects that we are unable to fund at the moment. There is a sizeable number, as I have indicated.

I have not approached Treasury Board in terms of additional funding because we went through that process at Budget time, and whilst certainly it would be wonderful to have \$10 million to spend, I have to realize that the overall situation with regards to funds is such and the needs are such of various departments that, of course, I cannot expect to get everything I want. The only thing that I can do is to hope that when the new Budget comes down for the next fiscal year, that we will pick up those projects that we have on file and carry on from there.

MR. SPEAKER: (Simms) The hon. the member for Trinity - Bay de Verde.

MR. F. ROWE: Mr. Speaker, I would like to address a question to the hon. the Premier. I am sorry he was not here yesterday to hear the President of the Council (Mr. Marshall) answer my colleague from Bonavista North (Mr. Stirling), when he left the impression that the directors of the Fisheries Loan Board were either suspended, expired, fired or terminated and was not quite sure what, and then finally, in the Late Show, indicated they were persona non grata - did not exist anymore.

The question I would like to put to the Premier, Mr. Speaker, is in connection with the twenty new vessels that are to be built as indicated in his Ministerial Statement of some days ago. I would like to ask the Premier whether the \$12 million - or the \$24 million, which is really \$12 million because \$12 million has already been appropriated - whether the money for the construction of these new vessels is to come from that \$24 minus \$12 million or whether there is going to be additional appropriation of funds for the purpose of building these new vessels, these forty-five footers and up to sixty-five foot longliners?

MR. SPEAKER: (Simms)

The hon. the Premier.

PREMIER PECKFORD:

No, it is not. Mr. Speaker, the additional money that was approved last week and announced in this hon. House is to do two things; it is to provide money for twenty new vessels forty-five to sixty-five feet to be built, not already under construction, new approvals, brand new applications.

MR. NEARY:

Laying new keels.

PREMIER PECKFORD:

That is right, laying new keels, exactly - and to process as many applications as possible that are in now for engines, hydraulic gear and electronic gear. In other words, it was a two-pronged attack upon a very serious problem for the next month or so to keep boatyards in operation - and more importantly, or just as important, to provide fishermen who are waiting with federal subsidies already approved to have their new boats in place for next Spring.

So in answer to the hon. member's question, as well as to comments made by the Leader of the Opposition, it is not simply to keep shipyards operating, it is also to provide boats and gear to fishermen. And what we perceive from the applications that

Premier Feckford:

are in are, one, the desperate need for a number of boats to continue to be built in the forty-five foot to sixty-five foot range in Newfoundland, new keels, for fishermen: who are right ready to move because they have their federal subsidy, licences and all of the rest, and twenty will make some impact there, not as much as we would like, but some. And secondly, a fair amount of money to be allocated to outstanding applications that fishermen have in for engines, because they have the boat, they have the shell and they have no engine to go into it; or they have the boat and the engine and they do not have the electronic gear, or they have the boat and the engine and the electronic gear and they do not have some of the navigational aids or whatever.

AN HON. MEMBER: Right.

PREMIER PECKFORD: So that we are trying to attract both new boats and equipment to go in boats already built.

MR. F. ROWE: A supplementary, Mr. Speaker.

MR. SPEAKER (SLMMS): A supplementary, the hon. member for Trinity-Bay de Verde.

MR. F. ROWE: I think it is fair to say therefore, Mr. Speaker, and in the form of a question I wish to put it, that whatever money is being appropriated for this particular thing, we are not, in fact, going to see the construction of twenty new vessels this year. Is the hon. Premier aware of the fact that a great number of loans have been approved and, in fact, cheques issued to boatbuilders for the purpose of building boats and to fishermen who want to build boats through a boatbuilder? Is the Premier aware of the fact that loans have been approved that had not gone through the Fisheries Loan Board? And these loans were approved by the minister's office, by the Minister of Fisheries office, if not by the minister himself, without going through the Fisheries Loan Board and that therefore no orders have been given by either the Federal or Provincial inspectors to inspect these boats? Could the Premier indicate just how many loans were approved before the last election without the knowledge, without any knowledge whatsoever, of the Fisheries Loan Board?

MR. SPEAKER (SIMMS):

The hon. Premier.

PREMIER PECKFORD:

Mr. Speaker, I am not aware that the minister's office approved loans that had not been approved by the Fisheries Loan Board. Now before this House closes at dinner time, I shall immediately find out whether there is any truth to that statement that the hon. member made and bring in any information I have on it. All I can say is that in the reports and the scrutiny that we have done, the Cabinet, and have instructed a number of people in Treasury Board, Finance, and Fisheries to do, and the report which they have signed, that every single loan that was approved by the Fisheries Loan Board has been honoured right down to the last -

MR. F. ROWE:

No, that is not the question I asked.

PREMIER PECKFORD:

- Wait! I understand the English language, and I understand exactly what the hon. member was saying, I am just trying to do a progression of things here all at the one time. One, that every one that was approved by the Fisheries Loan Board has been honoured and the money is being sent out to the various applicants and so on.

Now I am not aware that there were any loans approved by the minister's office, I take it

PREMIER PECLFORD:

the Minister of Fisheries office and boats built to which now the Loan Board will not respond, but between now and one o'clock I will investigate that to see if there are any because that is the first news I have heard of that. All the loans that I know of were approved by the Fisheries Loan Board and the monies and the cheques have been going out and the progress payments, the boats being inspected and so on. But if there is some information to show that there were boats approved without going through the Loan Board, I am going to find out about it before one o'clock either through the hon. member or hon. members opposite and through the Department of Fisheries, I will tell you that.

MR. F. ROWE: A further supplementary, Mr. Speaker.

MR. SPEAKER: (Simms) The hon. member for Trinity - Bay de Verde.

MR. F. ROWE: I thank the Premier for his answer, Mr. Speaker, and I would ask him if he would undertake a full-fledged investigation into the - now, get the difference -

AN HON. MEMBER: Into the minister's office.

MR. F. ROWE: - into the minister's office, precisely, because the point is that loans have been approved and cheques have been issued. We do not have a huge research staff and obviously the Premier would have a greater number of personnel to investigate that. But I would ask him to assure the hon. the House that he would launch a full-fledged investigation into the amount of money that has in fact been approved by some source other than the Fisheries Loan Board for the construction of boats in this Province because my -

MR. S. NEARY: And how many pick-ups they have paid for.

MR. F. ROWE: - real concern is that that additional money that the Premier announced some weeks ago in fact is going to go towards boats that are already under construction and already completed. That is my concern.

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Just let me respond to that, Mr. Speaker, and if the hon. member from LaPoile (Mr. S. Neary) or other hon. members have any information on this, please -

MR. S. NEARY: Yes, we have all kinds of it. -

PREMIER PECKFORD: Well, pass it along to me.

MR. S. NEARY: You are head of the government, you know.

PREMIER PECKFORD: Yes, but pass it along to. I will do the investigation,

MR. S. NEARY Find out how many pick-ups (inaudible).

PREMIER PECKFORD: Pass the information along to me.

Now, to respond to the hon. the member for Trinity - Bay de Verde (Mr. F. Rowe) -

MR. S. NEARY: You should have a Commission of Enquiry (inaudible)

MR. SPEAKER: (Simms) Order, please!

PREMIER PECKFORD: To respond to the comments and questions of the hon. member for Trinity - Bay de Verde, yes, I undertake to immediately do that, to investigate and find out whether as it relates to the minister's office because I am not aware of it and the reports that I have, comprehensive reports by accounts and so on who are put together as a team to go into the Fisheries Loan Board, okay, as distinct from the minister's office, I agree. The report that was done, the investigations that were done were investigations done by a team of people from Treasury Board and Finance into the Fisheries Loan Board to find out the status financially of the Board and how many loans are outstanding and I can say from that point of view that all of the monies that have been approved before last week were monies to ensure that all the approvals were honoured, that all the applications that had approval marked on them from the Fisheries Loan Board were honoured and that this new money, as I understand it, clearly and totally is going for the new -

MR. F. ROWE: You had better check that one out.

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PREMIER PECKFORD: - applications, the new boats and
I am pretty clear on that.

MR. F. ROWE: I hope you are right.

PREMIER PECKFORD: In the meantime, I will undertake
immediately to see whether there are any approvals that were at
the minister's office that did not have the approval of the Fisheries
Loan Board, how many involved, if any, and report back to the House.

MR. F. ROWE: Could the Premier be a little more -

MR. SPEAKER: (Simms) The hon. member for Windsor - Buchans.

MR. F. ROWE: - immediate then to the appointment
of a Minister of Fisheries?

MR. SPEAKER: The hon. member for Windsor - Buchans
wishes to yield.

MR. G. FLIGHT: Mr. Speaker,

PREMIER PECKFORD: I do not think that question is
(inaudible).

MR. G. FLIGHT: - since this is probably the last
question any member will get in this House until February or March, I
would like to ask this question to the Minister of Consumer Affairs
and Environment (Mrs. H. Newhook), and as I said, since it is
apparent the House will

MR. FLIGHT:

close today and not open possibly until February, some major decisions will have to be made during that time, and I am concerned about the decision being made re a massive spray programme for this Province. I am wondering if the minister is in a position at this time to tell us - the pressure is on for a spray programme. Can the minister tell us what pesticide or insecticide will be used in any spray programme in this Province this year?

MR. SPEAKER: (Simms)

The hon. the Minister of Consumer Affairs and Environment.

MRS. NEWHOOK:

Mr. Speaker, I am sorry, I cannot give the hon. member this information. My officials are working on this problem now. We do have a special committee set up for the use of pesticides and herbicides and I have not received their report for what will be used next year. I can check to see the progress of that report and let you know, but it has not reached my desk as yet.

MR. FLIGHT:

Mr. Speaker, a supplementary.

MR. SPEAKER:

A supplementary, the hon. the member for Windsor - Buchans.

MR. FLIGHT:

Mr. Speaker, to the minister. It is obvious to the Province that because of the bungling way that the Bt spray programme was administered this Summer that Bt will not be considered in a spray programme. We do not know if it is any good or not, thanks to the way it was used during the experimental spray programme with Bt, so that leaves us with fenitrothion and matacil. And the Province has a major supply of matacil sitting in Stephenville, as the minister knows. Is the minister saying there is some question that we might not use matacil, that matacil may not be used in the spray programme, we may be looking at another insecticide?

MR. SPEAKER:

The hon. the Minister of Consumer Affairs and Environment.

MRS. NEWHOOK:

Mr. Speaker, I am sorry, I do not have this information. I really do not know exactly what we will be using

MRS. NEWHOOK: next year or whether or not there will be any spraying at all, but I would have to get the report from this special committee that we have set up for this purpose. And like I just said, I have not received it as yet, so I really do not know what they have in mind or what they will be recommending to use.

MR. FLIGHT: Mr. Speaker, a supplementary.

MR. SPEAKER: (Simms) A final supplementary, the hon. the member for Windsor - Buchans.

MR. FLIGHT: I wonder if the minister would tell the House in her capacity as Minister of the Environment whose responsibility is to protect the standards of water and that kind of thing in this Province, is she making representation to any committee which is making a decision to this year have a buffer zone around communities and to assure there will be no spraying, if indeed we have a spray programme - and it is very apparent that we will be having a spray programme. Now, is the minister using her position as Minister of the Environment responsible to make sure that no spraying takes place over community water supplies and that there will be adequate buffer zones between any spray block and any community located near those various spray blocks?

Hear, hear!

MR. SPEAKER (SIMMS): The hon. Minister of Consumer Affairs and Environment.

MR. NEWHOOK: Mr. Speaker, that is the policy of our department and of the spray programme, and I think this was adhered to last year. I know in Gander this spraying did not take place near our water supply, and this was supposed to have been the policy throughout. And we are certainly looking at it for next year that there will be a buffer zone and regardless of which chemical we use to spray that near communities there will be buffering zones where maybe like Bt probably could be used. This is what Nova Scotia has been doing; they use Bt in the buffer zones and then they use matacil further out in the country over the areas where there is more forestation and where there is less danger or where there are no people living. And we will be looking at this kind of a programme, but, like I say, no decision has been reached as yet.

MR. FLIGHT: A supplementary, Mr. Speaker.

MR. SPEAKER: The hon. member for Terra Nova.

MR. FLIGHT: A supplementary, Mr. Speaker.

MR. SPEAKER: I indicated a final supplementary for the hon. member, unless the member for Terra Nova (Mr. Lush) wishes to yield.

MR. FLIGHT: After Christmas, 'Tom'.

MR. SPEAKER: A final supplementary, the hon. member for Windsor-Buchans - a final, final supplementary.

MR. FLIGHT: Mr. Speaker, again this will obviously be the last time that this House will have any input in to a spray programme. I would believe that the decision will have to be made before this House meets again. Now it is very interesting; the minister just indicated that we may be looking at a spray programme that will involve two insecticides, a pesticide such as matacil, maybe, in the main spray block and also using Bt in the buffer zones, is that what I understood the minister to say, that that is the kind of consideration that has been given to a spray programme, that we may be looking at two

Mr. Flight: particular chemicals being used in a coming spray programme?

MR. SPEAKER (SIMMS): The hon. Minister of Consumer Affairs and Environment.

MRS. NEWHOOK: Mr. Speaker, no, this is not what I did say. I said this is the programme that they have in Nova Scotia. And we have reports of their programme and we are studying it but we have made no decision whatsoever that we will go this route. And I cannot say exactly what our programme will be for next year. And I cannot really say whether or not there will be spraying next year, not as yet. This decision has not been reached yet.

MR. SPEAKER: The hon. member for Terra Nova.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Now, can Your Honour arrange an interview?

MR. LUSH: Mr. Speaker, I want to direct a question to the Minister of Social Services (Mr. Hickey).

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: Mr. Speaker, when the commotion dies down I want to ask a question to the Minister of Social Services. Again it is in relation to a matter that I raised last week concerning the senior citizens complex at Eastport. And as the minister is well aware in addition to the number one

MR. LUSH:

problem of being unable to find occupancy for that home, another real problem is the fact that CMHC, for whatever reasons, have chosen not to pay two contractors who honoured their commitments, who completed what they were supposed to do without any escalation in cost, and yet, for some reason or other, CMHC did not pay these two contractors. I know the minister is aware of this, so I wonder if the minister can indicate why CMHC is not paying these two contractors and if the minister has made any representation or any request to CMHC on behalf of these contractors owed somewhere in the vicinity of \$70,000?

MR. SPEAKER: (Simms)

The hon. the Minister of Social Services.

MR. HICKEY:

Mr. Speaker, the hon. member will recall a meeting with Canada Mortgage and the committee and myself last year when this matter was discussed in some detail. I thought that by now there would have been a resolve to the question of non-payment. I am aware, as he can appreciate, of the outstanding amounts from a couple of contractors and it seems to me, as I recall that meeting, the detail indicated that there was some dispute by Canada Mortgage as to whether or not the overruns or the changes that were made in the construction of the building had in fact been included or approved by Canada Mortgage. And, of course, they have taken the position that they are not responsible.

As a result of the hon. gentleman's question last week, I had the occasion to meet with Mr. Ryan on another matter and, while I was talking to him, I mentioned the question of the Eastport building. He indicated to me that, as of yet, that building is not the property of Canada Mortgage. In other words, they would be taking some initiatives soon to take over the building. I would suggest to my hon. friend that at least the only resolution that I can come up with with regard to those contractors would seem to me to be that when Canada Mortgage, by whatever means, takes over that building, then they take over the liabilities as well. Right now there is some question as to whether the contractors can sue, because they do not know whom to sue. I assume they could at best, sue the committee. If the committee has not

MR. HICKEY: any money, they in turn would have to countersue Canada Mortgage. So it is a very involved and complex matter. But once the building is taken over by Canada Mortgage, it would seem to me - the fact that they have not been able to rent the building, therefore there have not been any revenues coming from its operation - it would seem to me that Canada Mortgage, in taking over the building, because the project has not worked, would also be liable for the liabilities in constructing that building, which is the question that my hon. friend raises.

MR. SPEAKER: Order, please!
The time for Oral Questions has expired.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: (Simms) The hon. the member for St. John's North.

MR. J. CARTER: Mr. Speaker, it gives me great pleasure to table the report of the proceedings of the Standing Committee on Social Services on the Estimates, 1979 - 1980.

This Committee, Mr. Speaker, consisted of myself as chairman, the member for Port au Port (Mr. Hodder) as vice-chairman, the member for Humber West (Mr. Baird), the member for St. Barbe (Mr. Bennett), the member for Port de Grave (Mr. R. Collins), the member for St. John's Centre (Dr. McNicholas), the member for Exploits (Dr. Twomey), the member for Fogo (Mr. Tulk), the member for Torngat Mountains (Mr. Warren).

We considered five headings - Justice, Social Services, Consumer Affairs, Health and Education. We sat for a total of twenty-five and one-half hours from July 31st to August 9th. Even though handling the estimates by our Committee only reduced the total time of estimates by fifteen hours, nevertheless, we spent twenty-five and one-half hours. They were, in my opinion, very fruitful. Here is the report of those deliberations, and it gives me great pleasure to table them. Thank you.

SOME HON. MEMBERS: Hear, hear!

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

MR. SPEAKER: (Simms) The hon. the Minister of Rural,
Agricultural and Northern Development.

MR. GOUDIE: Mr. Speaker, I have the answer to a
question from the hon. the member for LaPoile (Mr. Neary). The only
indication I have is question number forty-six, I do not have the
number of the Order Paper. Number forty-six: Would you ask the hon.
the Minister of Fisheries to lay upon the table of the House the
following information. How many applications are on file for a

MR. J. GOUDIE: provincial license to operate small fish plants or freezer plants? The answer is there are thirteen new applications on file. The locations for such applications are Boyd's Cove, Hickman's Harbour, Red Bay, English Harbour West, Bay L'Argent, Trouty, Twillingate South, Summerford, Sunnyside, Hillgrade, Twillingate, Pinsent's Arm and Fishels. What action has been taken on such applications? The information is attached, I will not read that. What are the dates of submission of applications where no action has been taken to date? All applications that have been received have been advertised in province-wide newspapers. And finally, when will action be taken on those applications where action is still pending? Hearings take place every two or three weeks on all applications received by the Department of Fisheries. There is a copy for the hon. House, Mr. Speaker, and a copy for the hon. member for LaPoile (Mr. Neary).

ORDERS OF THE DAY

On motion that the House resolve itself into a Committee of the Whole on said bills, Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE

MR. CHAIRMAN (Butt):

Order, please!

A bill, "An Act Respecting Provincial Offences And Provincial Court Inquiries". (Bill no. 16).

Shall Clause (18) carry?

MR. OTTENHEIMER:

Mr. Chairman.

MR. CHAIRMAN (Butt):

The hon. Minister of Justice.

MR. OTTENHEIMER:

The hon. member for the Strait of Belle Isle (Mr. Roberts) brought the matter up yesterday whether there was an alteration in the law there, and we discussed it later on. The ex parte is just a restatement of what is already operative, and if anything it is more rather than less restrictive with the possibility of an adjournment for thirty days.

MR. ROBERTS: My learned friend, the Minister of Justice, (Mr. Ottenheimer), did speak to me outside of the House, and I am satisfied on the point. I think, in fact, the clause is an improvement, as the minister has indicated.

MR. CHAIRMAN (BUTT): Shall Clause (18) carry?
On motion Clause (18) carried.

MR. CHAIRMAN: Shall Clause (20) carry?

AN HON. MEMBER: Clause (19)?

MR. ROBERTS: I think the minister might want to speak on that.

MR. CHAIRMAN: Clause (19) we did yesterday.

MR. ROBERTS: Oh, I am sorry. Yes, I am sorry.
Carried.

On motion Clauses (20) through (21) carried.

MR. CHAIRMAN: Shall Clause (22) carry?

SOME HON. MEMBERS: No, no.

MR. OTTENHEIMER: Clause (22).

MR. CHAIRMAN (BUTT): The hon. Minister of Justice.

MR. OTTENHEIMER: My hon. friend opposite also mentioned yesterday with respect to Clause (22) (b) the wording there, "During pregnancy or following pregnancy in circumstances that might be reasonably attributed thereto." And what I intend to do would be to move the deletion of that Subsection (b). It certainly seems to have something of a sexist connotation and really seems to be entirely unnecessary. And subsection (a) is sufficiently broad. So what I would do would move that subsection (b) be deleted and that (c), (d), (e), (f), be relettered - 'accordingly' the President of the Council advises me.

MR. CHAIRMAN (BUTT): The hon. member for the Strait of Belle Isle.

MR. ROBERTS: I think accordingly is a necessary and an unavoidable inference, but we will support the amendment. I think it is an improvement. And there is no doubt that the Clause as amended

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Mr. Roberts: will still allow, I suggest, ample authority in the Attorney General or in his officials to order inquiries wherever inquiries were necessary in the public interest.

MR. CHAIRMAN (BUTT): Shall Clause (22) carry?
On motion Clause (22) as amended carried.
On motion Clauses (23) through (34) carried.

MR. ROBERTS: With respect to Section 35, which Your Honour is about to call -

MR. CHAIRMAN: (Butt) Clause 35.

MR. ROBERTS: I just want to ask is there any indication when the government intends to bring in this new regime? I know there is a lot of practical interest because I think the procedures under this and its companion bill, the companion bill which is the Small Claims Act that we adopted earlier, you know, they are hinged one on the other, and I think many people feel that the procedures will be very greatly improved. Is there any indication when these will come into force?

MR. CHAIRMAN: (Butt) The hon. the Minister of Justice.

MR. OTTENHEIMER: In the very near future, I would think within the next couple of months, I believe those concerned are ready to go and have been aware of this impending legislation and I would say in the very near future, early in the New Year.

MR. CHAIRMAN: The hon. member for the Strait of Belle Isle.

MR. ROBERTS: Thank you, Mr. Chairman. I take it we are to conclude, it is the government's intention that as soon as the mechanical steps can be taken and what have you to implement the new regime, it will come in. It is not a matter of being held. There is no policy to hold-off, it is simply when the machinery can be made ready to function, is it?

MR. OTTENHEIMER: Correct. Yes.

Motion that the committee reports having passed Bill No. 16 with amendments, carried.

Motion, second reading of a bill, "An Act To Provide For The Provision Of Lower Cost Prescription Drugs". (Bill No. 12)

On motion clauses 1 through 7 carried.

MR. CHAIRMAN: Clause 8.

MR. CHAIRMAN:(Butt)

Council.

The hon. the President of the

MR. MARSHALL:

Mr. Chairman, arising out of comments made by the hon. the member for the Strait of Belle Isle (Mr. Roberts) when this bill was in second reading, we are going to propose an amendment. Not wishing to prolong the committee at all, I do wish to point out - I wish the hon. member for Grand Bank (Mr. Thoms) were here and the hon. Leader of the Opposition (Mr. Jamieson), but perhaps they are in earsight because the other day we had a little kerfuffle over the Municipalities Act where it was alleged that we would not accept any amendments, but that is not the case and I just want to emphasize this and get it on the record.

MR. ROBERTS:

establish.

A difficult burden of proof to

MR. MARSHALL:

I give notice that I shall no doubt diarize this and refer to it again and again, it is much more appropriate for it to be brought by the member for the Strait of Belle Isle (Mr. Roberts), Mr. Chairman, and I want to make it quite clear that it is his amendment. If the wording does not turn out to be suitable, the birth of this amendment came from the Opposition, came from the member for the Strait of Belle Isle (Mr. Roberts), and is very indicative of the worth of this committee and the way in which this government listens. Even though we may be hopefully near completing the business of this portion of the session, I could not resist making the observation. So anyway, Section 8, we propose that Section 8 be amended as follows, by replacing Section 8 with the following wording, "For the purpose of avoiding doubt it is hereby declared that no action lies against any person by reason only of the prescribing or dispensing of a substitute drug in accordance with this Act." I gather the hon. member for the Strait of Belle Isle (Mr. Roberts) has not seen this wording.

MR. ROBERTS:

MR. MARSHALL:

No, I have not.

I thought he might but I think that

MR. MARSHALL: perhaps we should send it over for the hon. member for the Straits to see the wording and then we can give it to Chairman. I might say that it was worked out in conjunction with the law officers at the table after hearing the observations of the hon. member.

MR. CHAIRMAN: (Butt) The hon. member for the Strait of Belle Isle.

MR. ROBERTS: Mr. Chairman, I am quite overwhelmed by the spontaneous tribute paid by the House Leader and, of course, one is always very careful of Greeks bearing gifts to Troy. But I think the amendment is an improvement and the hon. gentleman has done me the courtesy of showing it to me. The addition of the word, I think, certainly removes the danger which I think could conceivably have arisen under the original draft and that is fair enough. I guess that is part of the point of committee, to try to improve it. I must say, though, my hon. and learned friend could not resist, and like him I feel the nice part about temptation is giving in to it, Sir. I know Your Honour would not be familiar with that concept, but my learned friend and I both are and I would simply say that one swallow does not a Summer make and one amendment does not a sensible government make.

On motion clause 8 as amended,
carried.

MR. E. ROBERTS:

Your Honour.

MR. CHAIRMAN: (Butt)

Belle Isle.

The hon. member for the Strait of

MR. E. ROBERTS:

Your Honour, I take it, has called Clause (9) by necessary implication if not by actual act. I simply want to ask the minister - again, this act is subject to proclamation - Are we awaiting a policy or are we awaiting simply the implementation of the machinery to make this new thing work?

MR. CHAIRMAN:

The hon. Minister of Health.

MR. W. HOUSE:

Mr. Chairman, the implementation of course, we have been in discussion with the Pharmaceutical Association. There are a number of practical problems, of course, the least of which is not inventory that they presently have. And the other thing is that the act does allow us to set up a committee to establish a formulary. While a lot of that has been done, it is not fully completed yet. So, we are looking to a period of perhaps six months before it will be effective.

Mr. Chairman,

MR. E. ROBERTS:

It will be going ahead (inaudible). This is not one of these bills that is going to sit on the statute books and never be used?

It will be going ahead (inaudible).

MR. W. HOUSE:

No. We have looked at the practical problems and we think it is going to take from five to six months, perhaps the 1st of July before it is fully enacted.

No. We have looked at the practical

MR. E. ROBERTS:

That is fair enough, I mean, I have no problem with the kind of situation described by the minister. I simply wanted to be sure because our statute books are littered and cluttered with acts that have been adopted in all good earnestness by the government that adopted them and by the house, and just never been proclaimed into law and I wanted to be sure it was not another of those.

That is fair enough, I mean, I

Motion, that the committee report

having passed the bill with amendment, carried.

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MR. CHAIRMAN: (Butt)
Council.

The hon. the President of the

MR. W. MARSHALL:

Thank you, Mr. Chairman.

A bill, "An Act To Repeal The
Government - Atlantic Gypsum, Limited - Lundrigans Limited (Agreement)
Act, 1969". (Bill No. 55).

On motion Clauses (1) and (2),
carried.

Motion, that the committee report
having passed the bill without amendment, carried.

A bill, "An Act To Amend The
Provincial Court Act, 1974". (Bill No. 22).

On motion Clauses (1) through (7),
carried.

Motion, that the committee report
having passed the bill without amendment, carried.

A bill, "An Act To Remove Anomalies
In Provincial Legislation That May Be Construed As Discriminatory."
(Bill No. 21).

On motion, Clauses (1) through (11),
carried.

Motion, that the committee report
having passed the bill without amendment, carried.

A bill, "An Act To Amend
The Pharmaceutical Association Act." (Bill No. 14).

On motion clauses 1 and
2, carried.

On motion, enacting clause,
carried.

MR. CHAIRMAN(Butt): Shall the long title carry?

MR. ROBERTS: (inaudible) there is no long
title in this bill? I do not think I have ever before in my fifteen
years -

MR. CHAIRMAN: An Act To Amend The
Pharmaceutical Association Act.

MR. ROBERTS: The bill I have has no long
title in it. It has a long title, I am sorry, no short title. I
do not think I have ever before seen a piece of legislation like
this. Is this a new draft style or is it common? I do not think
it matters a hoot one way or the other.

MR. MARSHALL: I have been informed, and
it is a revelation to me, that our amending bills do not have short
titles.

MR. ROBERTS: Is that a new drafting style?

AN HON. MEMBER: (inaudible) 1977.

MR. ROBERTS: Since 1977? That certainly
shows how much we have been paying attention to the bills up here.

MR. MARSHALL: Yes, because I did not know
it either.

MR. ROBERTS: In other words, we are
invincibly ignorant.

On motion, long title, carried.
Motion, that the Committee
report having passed bill no. 14 without amendment, carried.

A bill, "An Act To Amend The
Schools Act." (Bill No. 6).

Motion, that the Committee
report having passed the bill without amendment, carried.

A bill, "An Act To Repeal
The Fuel Oil Tax Act." (Bill No. 8).

Motion, that the Committee
report having passed the bill without amendment, carried.

A bill, "An Act To Amend
The Workers' Compensation Act." (Bill No. 25).

Motion, that the Committee
report having passed the bill without amendment, carried.

Motion, that the Committee
rise, report having passed bills nos. 16 and 12 with amendment and
bills nos. 55, 22, 14, 6, 8, 21 and 25 without amendment and ask
leave to sit again, Mr. Speaker returned to the Chair.

MR. SPEAKER(Simms): The hon. the member for
Conception Bay South.

MR. CHAIRMAN(Butt): Mr. Speaker, the Committee of
the Whole has considered the matters to it referred and have directed
me to report having passed bills nos. 16 and 12 with amendment, and
bills nos. 55, 22, 21, 11, 6, 8, 14 and 25 without amendment, and ask
leave to sit again.

On motion, report received
and adopted bills ordered read a third time, now by leave.

On motion, amendments
read a first and second time.

MR. MARSHALL: Now, Mr. Speaker, with
leave of the House we could third read from Order 2 down to Order 11
on the Order Paper.

MR. ROBERTS: Well, Order needs no leave
but we are prepared, Orders 3 to 11, to give those bills third
reading.

The only thing I would ask
Your Honour, I think it is appropriate, other than simply reading
the bill number, it might be in order for the Clerks to read the
title of the bill just so everybody is fully aware.

MR. MARSHALL: Oh yes.

MR. ROBERTS: I am supposed to be keeping
track and I confess candidly, and I think my learned friend would
agree, we all lose track of the numbers from time to time.

MR. MARSHALL: Oh, yes, I think we will
read the whole title.

MR. ROBERTS: I think perhaps even in
Committee, instead of just bill 1, it should be a bill, "An Act -"
whatever it has to do.

MR. SPEAKER(Simms): We will do each of them
individually.

MR. MARSHALL: We will go through them,
Third Reading, a bill, "An Act Respecting Small Claims"

On motion, the following
bills were read a third time, ordered passed and their titles be as
on the Order Paper.

A bill, "An Act Respecting
Small Claims." (Bill No. 17).

A bill, "An Act Respecting Provincial Offences And Provincial Court Inquiries". (Bill No. 16).

A bill, "An Act To Provide For The Provision Of Lower Cost Prescription Drugs.". (Bill No. 12).

A bill, "An Act To Repeal The Government-Atlantic Gypsum, Limited-Lundrigans Limited (Agreement) Act, 1969". (Bill No. 55).

A Bill, "An Act To Amend The Provincial Court Act, 1974". (Bill No. 22).

A bill, "An Act To Remove Anomalies In Provincial Legislation That May Be Construed As Discriminatory". (Bill No. 21).

A bill, "An Act To Amend The Pharmaceutical Association Act". (Bill No. 14).

A Bill, "An Act To Amend The Schools Act". (Bill No. 6).

A bill, "An Act To Repeal The Fuel Oil Tax Act". (Bill No. 8).

A bill, "An Act To Amend The Workers' Compensation Act". (Bill No. 25).

Motion, second reading of a bill, "An Act To Amend The Crown Lands Act". (Bill No. 33).

MR. SPEAKER(Simms):
the Council.

The hon. the President of

MR. MARSHALL:

Mr. Speaker, in the absence of the Minister of Lands and Forests, I have pleasure in introducing this bill. The purpose of this amendment is twofold. At the present time, applications of under twenty acres of Crown lands require

MR. MARSHALL:

approval of the Lieutenant-Governor in Council. The policy had been established a few years ago, which was a much more sensible one, providing that only applications for fifty or more acres should require approval. Unfortunately, when this policy was changed, the full body of the applicable law was not changed under the Crown Lands Act and The Administration And Control Of Lands Of The Crown Transfer Act, so consequently, at the present time, there are approximately 400 applications requiring the approval of the Lieutenant-Governor in Council, which, in the opinion of government, ought not to really require the approval of the Lieutenant-Governor in Council because all it does is it delays the issuance of grants. And the purpose of this particular amendment, under the proposed amendment, only those applications - and this will be quite clear - for more than fifty acres, will require such approval. The effect of the act will reduce the processing time of a large number of routine applications, which I think all members of the House will certainly endorse.

The other aspect of the act relates to title. At the present time a Crown title cannot be issued on any parcel of land to which an adverse claim has been identified. And, of course, that is the same way, this is the same effect. There have been problems, though, where there are claims or there is an awareness of claims and nobody knows their validity or their strength and the persons who might have a claim are not asserting them. So this proposed amendment offers a solution that any claim which is in conflict with the Crown lands application can be dealt with by giving the claimant sixty days to initiate action to have his claim considered under the Quieting Of Titles Act, which is another act of this Province that I am sure all members are familiar with. If the claimant fails to initiate such an action, he foregoes any claim to the land and the minister is then free to deal with the application on hand. It is intended, then, to provide a mechanism for dealing with Crown lands applications which involve adverse claims that in the opinion of the Department of Justice had

MR. ROBERTS: a good system of officials and committees who check, so that, in itself, makes some sense. I do not think there is any danger to the Crown estate because of this.

The second - I do not know if principle is the right word, Your Honour - I mean, can a bill have more than one principle? But the second major change which would come about with this bill, I think is one which we should welcome. Because one of the great hardships now is if Your Honour, for example, were to apply for a piece of Crown land and somebody were to file a notice of an adverse claim against it, there is literally no quick way of which I am aware to resolve that dispute. Crown Lands simply back off. I know of cases where I suspect the real reasons which have led to the filing of the adverse notice or anything except a

MR. E. ROBERTS:

legitimate claim in the land. It is a family dispute or it is just, ^{Ne} on this side of the harbour do not like you guys on that side of the harbour, and Crown Lands back off, People have ended up with houses built on land that they believed was in their family for fifty years, there was never any question of it a mortgage company comes into the picture and has to have a title certified by a lawyer before a mortgage can be granted. The lawyer says, 'I cannot certify title unless Crown Lands issue it', and Crown Lands says, 'We are not going to issue it because there is a dispute'. I think this procedure will resolve that dilemma and I think there are adequate safeguards in it. One or two of my colleagues have asked if sixty days is long enough. As I understand the Bill, it is sixty days from the time the notice is served personally upon the person against whom the adverse claim is being made. I think that is adequate. In the civil courts of this Province you have, depending on the court and the cause, four to eight days to respond to the writ once it has been served personally upon you. I think that is adequate time. I think this is not the sort of thing you need to stand up and shout about, but I think it is a very substantial step forward and will certainly help a lot of people who now are emeshed in a system that they cannot find a way out of except at vast expense and vast difficulty. And accordingly I think we on this side should support the Bill.

Now my friend for Windsor - Buchans

(Mr. Flight), who speaks for us on Crown Lands matters, Lands and Forests matters, may very well have some observations on the Bill and I confess candidly I was on my feet before I realized that my friend wanted to speak on this. I hope he does not need more than a half an hour because I guess by speaking first I have used up the hour slot. I did not intend to, but anyway I would hope that - in fact, I am quite sure that what he has to say can be said in a half an hour. If not, we will find ways within the rules for additional time. But I think we on this side do support the Bill. I think these are two important changes that we should welcome.

MR. SPEAKER: (SIMMS)

The hon. member for Windsor - Buchans.

MR. G. FLIGHT: Mr. Speaker, whether I go half an hour or not will be decided as to when I feel that I have made the points that I want to make on this particular Bill.

Mr. Speaker, as the hon. Leader of the Opposition said -

MR. E. ROBERTS: No, Opposition House Leader.

MR. G. FLIGHT: - as the hon. House Leader (Mr. Roberts) indicated, we would have no difficulty at all in supporting this Bill. Obviously it is going to improve the system and nothing can make it any worse. Any legislation that improves the Crown Lands Act and makes land more readily available to applicants in this Province has got to be an improvement so therefore we would have to support it.

The problem is, Mr. Speaker, this is tokenism. When I came into this House three years ago, or four years ago, it took three years to clear a piece of land through Crown Lands - to clear ownership, to get title. And the minister of the day stood up with a piece of amending legislation and said, 'This is great legislation because this will now make it possible for people in this Province to receive ownership to land in six months'. It still takes two years, Mr. Speaker, even with people pushing it. I would have like to have seen legislation that would have done away with the foolish referral system we have in this Province, the system that guarantees that an applicant for a piece of Crown Land will wait two years because some employee, because of lack of staff in a regional office or what have you, a referral is sent down and six months after it is still sitting on some clerk's desk. It may not necessarily be the fault of the clerk, but it is certainly a system that is not working; it is working to the detriment of speeding up the issuing of titles in this Province. That is the kind of legislation we would have wanted to have seen.

The hon. House Leader referred to something that may be detrimental in this Bill, and that is the two months. It is very conceivable that there would be times when two months would not be long enough for the claimant to make the type of representation he would want to make. And I would see no distinction here between a claimant and an absentee landlord. We have got thousands of acres in this Province owned by absentee

MR. FLIGHT: ownership. Will this Bill affect lands granted or will it simply affect applicants for land? If somebody applied two years ago, his application takes precedence over a new one and it has no effect on leased land to absentee leasees or granted land to absentee grantors. So it simply deals with applicants, with applications, claims; new applications -

MR. E. ROBERTS: It will not change titles, it will simply help to straighten out who owns a bit of land.

MR. G. FLIGHT: So, Mr. Speaker, I do not

Mr. Flight: care to carry on, to prolong the thing, I believe, as the hon. House Leader (Mr. Marshall) opposite indicated, this will improve the system, possibly speed up the issuing of applications. However, I have to say - and for that reason we are going to support it. We will support anything that would clean up the intolerable situation in Crown Lands now and make it possible for applicants to receive their land and not have to go through the anxiety of years and years wondering why an application made two years ago has still not been dealt with.

So we support the amendment. I have to say, Mr. Speaker, that we look forward to amendments that will cut away the red tape that people in this Province have been used to the past four or five years in the next amending legislation.

MR. SPEAKER (SIMMS): If the hon. President of the Council speaks now, he closes the debate.

MR. MARSHALL: Mr. Speaker, I thank the hon. gentlemen opposite for their remarks. I will just make a few brief remarks in closing. First of all, the hon. member for Windsor-Buchans (Mr. Flight) made the observation initially that this was tokenism. But he indicate, you know, that when he came here it was three years and then he indicated now it takes two years. So it does show that there is some improvement. But at the same time I would concur with what has been said in the House, that nobody on the government side is really, least of all the Minister of Lands and Forest (Mr. Morgan), satisfied with the speed with which the Crown Lands applications are being processed, and we are constantly striving to see what can be done to speed them up.

The government had taken the position of establishing regional offices - and I do not know whether that was a good move, the attendant extra red tape that occurred, whether this delays it or not - but I can assure the House that this is something that will be under constant review by the government and we will be striving to do everything we possibly can do to speed up the process of Crown Lands applications.

Mr. Marshall: The other point that the hon. member for Windsor-Buchans (Mr. Flight) made, and the hon. member for the Strait of Belle Isle (Mr. Roberts) alluded to it as well, was to whether two months was enough. The hon. member for the Strait of Belle Isle indicated that he thought it was, and I agree with him. The fact of the matter is that if a surveyor in doing a survey on Crown lands sees that there is an adverse claim or a possible adverse claim, it is provided in there that the minister shall serve notice on the alleged adverse claimant and there will be an advertisement placed in the paper, and that would presumably be in cases where they cannot be reached.

MR. ROBERTS: (Inaudible) the minister is aware of any adverse claim.

MR. MARSHALL: Or aware of any adverse claim. Then the person is given sixty days within which to put up his position.

Now I would just point out in ordinary process in the court when a writ of summons, for instance, is served on somebody, they get four days, if they are within the environs of St. John's, and eight days outside the environs of St. John's. So I really think that sixty days - these things are arbitrary and you have to take a certain judgment on the thing, and this is the judgment that was made.

So I thank hon. members for their remarks and certainly indicate to them that we share the concern with respect to Crown lands and we hope that this Act with other measures that we will bring in will go a long way in speeding up the processing.

MR. SPEAKER (SIMMS): Is it the pleasure of the House that the said bill be now read a second time? Those in favour "Aye", contrary "Nay", carried.

On motion, a bill, "An Act To Amend The Crown Lands Act", read a second time, ordered referred to a Committee of the Whole House presently by leave, carried (Bill No. 33).

MR. MARSHALL:

Order 32, Bill No. 63.

Motion, second reading, A bill,

"An Act To Amend The Gasoline Tax Act, 1978 (No. 2)", (Bill No. 63).

MR. SPEAKER (SIMMS):

The hon. Minister of Finance.

DR. J. COLLINS:

Mr. Speaker, the amendment that was passed to the Gasoline Tax Act last July exempted private aircraft from the aviation fuel tax provision, the taxation there, and kept the private aircrafts under the Retail Sales Tax Act, which was at a higher rate. Now actually in practice this is not found to be possible because there has been some doubt whether in actual fact gasoline is consumed in the Province if it is consumed by an aircraft, because an aircraft is not actually in the Province except when it is taxiing on the ground.

So this amendment now extends The Aviation Fuel Tax Act to a private aircraft in the

DR. COLLINS:

same way that it applies to commercial aircraft rather than having private aircraft under retail sales tax.

MR. SPEAKER: (Simms)

The hon. member for the Strait of Belle Isle.

MR. ROBERTS:

Mr. Speaker, we can think of no valid reason why a private aircraft ought to be treated any differently than a commercial aircraft when it comes to questions of what tax ought to be levied on the fuel which that aircraft consumes, so that is one reason to support the bill. A second one, the minister has indicated apparently there are some legal difficulties as to exactly where gas is consumed and I suppose there would be further ones as to exactly what is a private aircraft. I just do not know. I could think of lots of confusing arguments, if somebody were paying me, to stand on my feet and argue as to what is private and what is not. So obviously the bill makes some sense and my understanding is that gas consumed in any aircraft now will pay the same tax as will be paid in respect to gasoline consumed in any other aircraft. As long as they pay the tax, that is fine by us so we will support the bill.

On motion, a bill, "An Act To Amend The Gasoline Tax Act, 1978," read a second time, ordered referred to a Committee of the Whole House presently by leave.
(Bill No. 2)

Motion, second reading of a bill,
"An Act To Amend The Medical Act, 1974." (Bill No. 54)

MR. SPEAKER:

The hon. Minister of Health.

MR. HOUSE:

Mr. Speaker, I think this is a reasonably simple bill. The Newfoundland Medical Board is an elected board and from that board they have to select a registrar. They find it increasingly difficult to get a registrar sometimes from the board so they are asking for, they are requesting that we allow them an

MR. HOUSE: amendment that will appoint a medical practitioner to be the registrar, either from among the members of the board or from outside the board. The three amendments there would, of course, one would give the duties of the registrar and the last one would make him an ex-officio member of the board. So it is a reasonably simple amendment.

MR. SPEAKER: (Simms) The hon. member for the Strait of Belle Isle.

MR. ROBERTS: Mr. Speaker, the amendment speaks for itself and we certainly have no difficulty supporting it. The board are the licensing authority. For a doctor to practice in this Province, he must be licensed by the medical board. It is often unheard of, often unnoticed, but it is an extraordinary powerful body and, I would submit, over the years has served the people of this Province extraordinary well. I do not know who the current registrar is, but I suspect it might still be Dr. Garret Brownrigg, a -

DR. COLLINS: (Inaudible)

MR. ROBERTS: The minister is not sure either. Dr. Brownrigg was registrar for many years and before him Dr. Cluney Macpherson both of them men of eminence in the practice of medicine in this Province and indeed in the public life of the Province. I would simply say, and I will not pursue the point to any length, I would simply say to the minister that I think the time has come - any if you wanted to move an amendment in committee we would gladly welcome it and support it the time has come when there ought to be appointed to the board at least one lay person. The board now is entirely made up of doctors and I think we have accepted in this Province the principle that - I believe the Benchers of the law society now have provisions for one or two lay Benchers, I am not sure of that but if they do not -

MR. MARSHALL: They have two.

MR. ROBERTS: My learned friend from St. John's East (Mr. Marshall), who is closer to being a Bencher than I am, I would

MR. ROBERTS: think, says there are two. I think the time has come when we ought in this Province to have on the board that certifies the professional qualifications at least one suitable lay person and I think it would be a very good step if the minister were to bring into the committee in a few minutes an amendment simply saying the Lieutenant-Governor in Council may- I would not make it mandatory, I think the doctors would have to be consulted, but we in this House decide, I mean the board exists by virtue of an act of this House-that the Lieutenant-Governor in Council may appoint, if there are now six members, may appoint a seventh member of the board who shall be a lay person. I think that would be a very wise amendment. It has been done in most provinces and surely the time has come here in Newfoundland and Labrador. Now that we are amending the act, this might be the time to do it and I would suggest to the minister that a provision like that might be a very useful one. It would not require the Cabinet to act if, upon consideration, they found they should not, but on the other hand it

MR. E. ROBERTS:

would give them the power to do so if upon consideration they found they should. It is a principle that is well established. I say, if the lawyers, Sir, can accept lay benchers and we have and I think it has been to the advantage of the profession and I would submit to the advantage of the public at large, then we ought to do the same in respect of the medical profession. But having said that, Sir, we shall support the bill.

AN HON. MEMBER:

Hear, hear.

On motion, a Bill, "An Act To Amend The Medical Act, 1974", read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 54).

Motion, second reading of a bill, "An Act To Amend The Memorial University (Pensions) Act". (Bill No. 53).

MR. SPEAKER: (SIRMS)

The hon. Minister of Education.

MS. L. VERGE:

Mr. Speaker, this bill brings in line the pensions for the university with those for the Public Service. The amendment first permits an employee to retire at age fifty-five with thirty years service and it increases and improves survivor benefits, repealing the provision that a survivor benefit stops upon remarriage of a widow and it also raises the interest rates on refunds of contributions.

MR. SPEAKER:

The hon. member for the Strait of Belle Isle.

MR. E. ROBERTS:

Mr. Speaker, the bill certainly is not one to which we would object at all. First of all, obviously, the university pensions plan ought to be precisely similar to that which obtains to the rest of the Public Service and the consequential changes, the rise in the rate of benefits and the rise in the interest rate, are straightforward, as, for that matter is retirement at an earlier age.

I simply have two questions which perhaps the minister could answer in closing the debate, assuming no

MR. E. ROBERTS:

other member wishes to speak.

First of all, if I retire at age fifty-five with thirty years service, do I get a reduced pension? You know, do I have an option of at sixty-five, which is the normal retirement age for everybody except politicians and judges - I think politicians have no fixed retirement sometimes it comes very quickly; and judges may serve until seventy-five if they wish, given good health. If I retire at fifty-five instead of sixty-five, do I take a lesser pension? And there, obviously, is an actuarial argument there because, of course, at fifty-five my life expectancy is greater than it would be at sixty-five and therefore the usual provision is that one takes a lesser pension. Is that the case here?

And my second question is -

MR. W. MARSHALL:

It is not the case here, it is

changing that.

MR. E. ROBERTS:

It is changing that.

My friend from Bonavista North (Mr. L. Stirling) says it that a good thing? I mean, are we not loading -

MR. L. STIRLING:

It is an expensive thing.

MR. E. ROBERTS:

Well, okay now, that is the point,

then, if that is not the case we are adding a great burden to the pension plan and I do not know, I mean, can the Public Service retire at fifty-five with the same pension as if they retired at sixty-five? My understanding was they retired at sixty with a reduced pension or at sixty-five with a full pension. You know, one could take one's choice as it were. And if you wanted to get out at sixty and take a little lesser pension than you would at sixty-five, you could but, over the actuarial life span, you know, the results would be the same. And that leads to my second question which perhaps was answered already; is the Memorial University fund actuarially sound or are we building up immense pension liabilities? Is this just another drain on the Public Treasury?

If so, I would say to the minister that it is wrong to allow a person to retire at fifty-five with thirty years service if that is a better deal than everybody else gets, if the result of

MR. E. ROBERTS: their retiring at that early age
would be to add an extra burden onto the Treasury of this Province.

 My friend from Bonavista North
(Mr. L. Stirling) has read the bill, which is a commendable thing,
and we should all do it because Section (b) says, "Shall receive
an immediate pension without actuarial reduction." well now, I
think that is wrong and let me go that far. I do not see why,
and perhaps the minister could tell us, if this is the standard
practice of this Province that is one thing,

MR. ROBERTS: but why should I be able to get out at fifty-five with a pension the same as if I served to sixty-five? That does not seem right or fair to me. In any event, Sir, I do not want to debate it at length but, given that, and if that is to produce a burden on the treasury, it is a very bad policy and perhaps we should think again about it.

MR. SPEAKER (Simms): If the hon. minister speaks now, she will close the debate.

MS VERGE: Yes, Mr. Speaker, This bill just simply brings in line the pension plan for the university with that which has been in place for some time for the Public Service. The actuarial -

MR. ROBERTS: Do public servants retire at fifty-five without actuarial reduction?

MS VERGE: Yes.

MR. ROBERTS: Thirty years (inaudible) retiring.

MS VERGE: That is after a minimum of thirty years in the Public Service.

MR. ROBERTS: You are kidding!

AN HON. MEMBER: Somebody could start at age twenty and retire -

MR. ROBERTS: You are kidding. They could get a full pension from the public service then.

AN HON. MEMBER: I do not know that.

MS VERGE: Yes, Mr. Speaker, that is the present arrangement with the public servants' pension plan. A public servant may retire at age fifty-five, provided that he or she has a minimum of thirty years service in the public service, and then get a full pension.

MR. ROBERTS: When was that adopted?

MS VERGE: Mr. Speaker, I am afraid I cannot give the hon. member the -

MR. ROBERTS: Does the minister know that that is so or is she just passing on what amounts to hearsay in law?

MS VERGE: Mr. Speaker, I know that this amendment embodied in this bill brings the university pension plan in accordance with

MS VERGE: the plan for the public service so that this particular aspect of the pension plan has been in place for the public service pension plan.

MR. ROBERTS: Could the minister tell us how much extra this change will cost the Province? Because it is Cape St. Mary's pays for all, you know.

MS VERGE: Mr. Speaker, I do not have any cost figures at my finger tips.

MR. ROBERTS: Have any cost figures been done?

MS VERGE: And again, Mr. Speaker, I cannot provide that information.

MR. ROBERTS: Has she seen the cost? If she is asking us to adopt the bill - we will adopt it - but I say to the minister, she knows whether she has or has not had prepared any cost figures? Or is she just buying a pig in a poke?

MS VERGE: Mr. Speaker, I did not have any cost figures prepared on this -

MR. ROBERTS: Did anybody, to the minister's knowledge?

MS VERGE: - the cost of this amendment.
To my knowledge, this was one of the considerations when the policy was being formulated. So to reiterate -

MR. ROBERTS: The minister is buying a pig in a poke.

MS VERGE: - I would simply say that this is an amendment to bring in line the university pension plan with that which has been in place for the rest of the public service.

On motion, a bill, "An Act To Amend The Memorial University (Pensions) Act," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 3)

Motion, second reading of a bill, "An Act Respecting The Reorganization Of Certain Government Departments And Matters Related Or Incidental Thereto." (Bill No. 65).

MR. SPEAKER (Simms): The hon. President of the Council.

MR. MARSHALL: Mr. Speaker, the purpose of this bill is to bring into effect the stated policies which have been in effect with respect to the alteration in the names of the Department of Forest Resources and Lands to the Department of Lands and Forests and the Department of Tourism, and the Department of Rural Development as well, the change to formalize the transfers of jurisdiction and really in effect what it does it gives legal effect to the policy that was introduced by this administration when it took office to change certain responsibilities of these ministers and to change their names and I think it is most necessary that it be put through, I do not think it needs any prolonged debate but it really regularizes the names and the duties that the ministers have been discharging for the past seven or eight months.

MR. SPEAKER (Simms): The hon. Leader of the Opposition.

MR. JAMIESON: Well, Mr. Speaker, I just want to say in passing that really this is a completely useless kind of thing. I am not going to argue with it. But this government seems to have

MR. JAMIESON: had over the years an almost irresistible tendency to keep shuffling and changing names and making for an enormous amount of confusion. Half the time over here I never know whether the minister is one thing or whether it has been changed to something else again. And, quite honestly, I do not know why we should even waste the time of the House with this kind of bill. But if the government feels that it will make for greater efficiency to put a different kind of label on one of the ministers, competent or incompetent, then that is fine with us.

MR. ROBERTS: A rose by any other name is just -

MR. JAMIESON: Still stinks.

MR. ROBERTS: Yes.

MR. SPEAKER: (Simms) If the hon. the President of the Council speaks now he will close the debate.

MR. MARSHALL: Mr. Speaker, I will just end by saying, you know, it was not introduced from the point of view that this was the keynote of - we do not presume that this is the keynote of our Throne Speech for the first session, but it is housekeeping, it is necessary, we have these functions transferred to the various ministers concerned, and the proof of the pudding, of course, is experience, and I think they have shown to the hon. gentlemen opposite and to the public how fitting it was to transfer these particular responsibilities to them.

On motion, a bill, "An Act Respecting The Reorganization Of Certain Government Departments And Matters Related Or Incidental Thereto," Bill No. 65, read a second time, ordered referred to a Committee of the Whole House presently by leave.

MR. MARSHALL: Order 43.

Motion, second reading of a bill, "An Act To Amend The Public Service (Pensions) Act," (Bill No. 64).

MR. SPEAKER: (Simms) The hon. the Minister of Finance.

DR. J. COLLINS: Mr. Speaker, the purpose of this act is to amend the Public Service (Pensions) Act for two main objectives. Firstly, an agreement has been entered into to bring into the Public Service Pension Plan those at the Fisheries College who are under a

DR. J. COLLINS: pension plan there and also the Newfoundland Hospital Association. Now those pension plans in those institutions do have a pension fund. I think it amounts to something between \$25 million and \$30 million at the present time.

Now this amendment will allow us to bring these pension funds into the Public Service Pension Fund. It will allow us to take over the amounts in those pension funds.

Now, Mr. Speaker, this act also sets up a fund which the Public Service Pension Plan does not presently have, to allow us to put those monies that come from those pension funds in those two organizations, to allow that money to go into the Public Service Pension Fund to be set up rather than going into the Consolidated Revenue funds. So those are the two purposes.

There are a number of features in this amendment that I might just mention briefly. I suppose these could be gone into in Committee too, but just briefly -

MR. ROBERTS: So we will have Committee at second reading.

DR. J. COLLINS: Right. There are certain features in the two organizations' present pension plans that had to be accommodated in the Public Service Pension Plan, and the act does allow that to be done. It also allows the pensioners - not those presently employed and paying into those pension funds in those organizations - it also allows those pensioners now receiving benefits from those funds to continue to receive their pensions, of course, when they come in.

Finally, and this is important, whereas the Public Service Pension Plan will now have a fund attached to it, the fund with regard to the rest of the Public Service Plan will remain dormant until such time as government wishes to fund the whole thing. Only that part of the fund will operate to allow the funds coming from the pension funds from the two organizations I mentioned, only those monies will be put into the fund that is now being established for the Public Service Plan. I hope I am clear on that, but I will go over it again if I am not.

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MR. SPEAKER: (Simms)
Strait of Belle Isle.

The hon. the member for the

MR. ROBERTS: Mr. Speaker, let me begin by saying we shall vote for the bill, I mean, there is no question about that. And let me go on to say that I do not intend to speak at any length, but I do want to take just two or three minutes to speak, not so much about the detailed provisions of the bill before the House, which I think are very sensible. It is a very good idea and I think it is an equitable idea - it may even be a legally necessary idea in taking over trust funds to have authority to hold them as trust funds.

Mr. Roberts: and people at the Fisheries College or people at the Hospital Association who have contributed or had deductions taken from their salary as contributions to trust funds over the years, you know, it would be terribly, terribly wrong to absorb that money to general revenue and replace it with a chit drawn upon the credit of the Province down the road.

So we have no problem with that. I mean, I think that is a wise move. And I think it is also a good move to have a standardized public service pension plan, and the same plan, as I understand it, will now apply to the Hospital Association, and the hospital employees and what have you, as well as the public service. And that is good.

I just want to say that if there is one subject that we in this House ought to put some attention on, and I have spoken on it before and I do not want to become a broken record on it, it is this pension situation. Because I will say very briefly, I will say to the Minister of Education (Ms. Verge) there is an actuarial study, I am quite certain, on the University pension plan. I mean it would be criminally negligent, I am not suggesting a criminal charge, but it would be wrecklessly negligent of the government to have agreed to that change in the University pension plan without an actuarial study, and while I may have my difference of opinion with the way in which Her Majesty's ministers are administering Her Majesty's affairs in this Province, I do not think they are wrecklessly negligent. I think they have been stupid on occasion, I think they have been wilful on occasion, but they have not been wrecklessly negligent. I would not think that of them.

The costs that we are building up, the liabilities that are being incurred are, I would think, at least equivalent to a large portion of the Provincial debt of this Province. I have no idea of what the figure is, it could easily be \$1,000 million in pension liabilities as of today. In other words, if we had to fund our pension plans today, it could easily take \$1,000 million. And I take that figure from thin air, but, you know, it would certainly be of

Mr. Roberts: that order, I would think. And the minister is nodding acquiescence, I think, not so much with the number as with the fact that there hundreds upon hundreds upon hundreds of millions of dollars built up in liabilities.

Now they might not seem like real debts, but what those liabilities represent, Your Honour, is the hope or the belief, and I think 'belief' would be a better word than 'hope', of thousands of people that when they come to qualify for their pension they will in fact get their pension. Because what we are saying to the civil servants and everything else, 'you pay into your pension fund or you get your pension rights, and when the time comes to collect, the Treasury of the Province will bear the burden.' And we have done that. That has been the practice, I suppose, as long as - when did the civil service pension plan come in? Probably back in Commission, there probably was not one before that. And we have done that throughout the piece and we meet the pensions and each year the Minister of Finance brings in an item and there are so many million dollars go to pensions and pensions are paid.

We should not delude ourselves, because the proportion of money that goes to that pension each year, the proportion of our total expenditures, is going to rise dramatically as the median age in the public service and in the teachers' service rises steadily and dramatically and at the same time we are lowering the pension age, we are lowering to age fifty-five. And I will let the matter go by saying quite simply that these two bills which we have adopted today have probably added another \$100 million or \$150 million to the liability that this Province assumes in respect to pensions. I do not object to that, but I think that we in this Province ought to realize it.

And I would conclude by saying that if there is one subject with respect to the finances of this Province that we should really pay some attention to, and the government should make public some information and then see what needs to be done, it is this whole question of pension liabilities, because when we talk of the

Mr. Roberts: debt of this Province we are talking of the funded debt, direct and indirect. But we should always remember that added on to that are the pension liabilities which really are the belief and the expectation of thousands upon thousands of our fellow Newfoundlanders, including the members of this House- because there is a pension plan here that is not exactly actuarially sound and is not funded either - but, you know, the expectation of these fellow Newfoundlanders that when the time comes to collect their pension it will be there for them to collect.

Well, I say now, it is there only if the government of the day have the money to pay it. And I know they will have the intention of paying it, and every honest desire to pay it, but I would say the amounts of money down the road are going to be huge and one of the things that ought to concern any Minister of Finance will be the question of the day when the pension liabilities start coming in. And I suppose it is what? About twenty years down the road, is it? Which means that most of us in this House will live to see it. If you can get it in thirty years, and the big move in pensions began in the mid-1960s, that is when people began getting significant pension rights, and when they began getting significant salaries. When I became Minister of Health maids in the hospitals were being paid \$1,500 a year - it is hard to believe! - \$1,500 a year is what they were being paid and that was considered

MR. E. ROBERTS: not a living wage but at least a survival wage for maids and aides in hospitals. Now, I suppose, \$6,000 or \$7,000 would be the lowest paid and that is well below a living wage, of course. But in about twenty years the chickens are going to start coming home to roost, Mr. Speaker, and I will say to the minister they are going to be very, very large chickens indeed and they are going to have omnivorous appetite that will have to be fed. Thank you, Sir. But they will lay golden eggs.

MR. SPEAKER: (SIMMS) When the hon. minister speaks now he will close the debate.

MR. W. MARSHALL: Mr. Speaker, just a very few brief remarks. The hon. member opposite, of course, made some extremely good points there. I might just say that the government is committed to funding the Public Service Pension Fund, whether fully or partially. I am not certain how it will be, but certainly we will be getting into funding in the near future. Government has a consultant in place in order to advise on exactly the form of funding and the details on this, or some details, I would expect, will come out in the coming Budget. This particular amendment now gives us at least a mechanism for it. We now need to implement the mechanism, but at least we now have a mechanism in place which is at least some advance. And, of course, in addition to that it does allow us to live up to the agreements we have made with these two organizations. Thank you.

On motion, a Bill, "An Act To Amend The Memorial University (Pensions), Act", read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 53).

Motion, second reading of a bill, "An Act To Remove Anomalies And Errors In The Statute Law". (Bill No. 71)

MR. SPEAKER: (SIMMS) The hon. Minister of Justice.

MR. G. OTTENHEIMER: Mr. Speaker, this is the kind of bill which is brought in in every session to correct mistakes, to make clarifications consistencies and matters of that nature and covers a fair number of statutes. But I do not think anybody would wish perhaps any further elaboration on it. It is in a sense, a housekeeping bill which in every session a similar one is introduced.

MR. SPEAKER: (SIMMS)

The hon. member for the Straits of Belle Isle.

MR. E. ROBERTS:

Mr. Speaker, over the last few years the quality of legal draftsmanship in this Province has been increased significantly. I do not mean that to derogate from those persons who drafted legislation in years gone by, I think the expectations that we have and the demands upon draftsmen or draftspeople or draftspersons whatever you want to say, have risen as well. But, the fact remains, every now and then errors do creep in and as I understand it this is the Bill to correct what my friend the Leader of the Opposition calls the commas and semi-colons. It is a necessary bill, I suppose, to tidy things up and all we are doing really is, let it be recorded, since the draftsmen have to clean up after us all the time, in this bill we are cleaning up after the drafts people and 'tis well 'tis so. I think it is notable this is one of the longer bills of this session and I think that says something about something. And having said something about something, and perhaps not much about nothing, or not much about not much, let us let the bill go through second reading.

MR. JAMIESON:

Would you go over that again?

SOME HON. MEMBERS:

Hear, hear!

On motion, a Bill, "An Act To Remove Anomalies And Errors In The Statute Law", read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 71)

MR. MARSHALL:

Mr. Speaker, just before I call the next Bill I would like to point out to the member for the Straits of Belle Isle that was not on the list but I have spoken with the member for Grand Bank (Mr. Thoms) about legal aid. It is Order 46, Bill 67.

Motion, second reading of a bill, "An Act To Amend The Legal Aid Act, 1975", (Bill No. 67).

MR. SPEAKER:

The hon. Minister of Justice.

MR. G. OTTENHEIMER:

Mr. Speaker, this amendment, its passage would have two effects: one, the provincial director of legal aid would be appointed and his salary fixed by the Legal Aid Commission rather than by the Lieutenant-Governor in Council as is presently the case, and, secondly, that Legal Aid

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MR. G. OTTENHEIMER: Commission would be empowered to establish posts and appoint staff on their own, again without the approval of the minister or Lieutenant-Governor in Council. I would point out that the basic reason for this is, I suppose, to enhance, if one wishes to put it that way, the independence of the commission - not that anybody is suggesting it is not independent now and essentially to eliminate some unnecessary bureaucracy because the Legal Aid Act section 26, subsection 3 gives sufficient authority there, "The minister

MR. OTTENHEIMER: may disprove, or subject to the approval of the Lieutenant-Governor in Council approve a budget submitted by the commission." So there is a requirement that the yearly budget be approved and that would certainly appear to be quite sufficient. So we think that this will eliminate some unnecessary bureaucracy or references back and forth since it is necessary that the Commission does in fact receive approval of their budget on a yearly basis.

MR. SPEAKER (Simms): The hon. member for Grand Bank.

MR. THOMS: Mr. Speaker, we are going to support, of course - well, maybe not - this particular amendment. There are a lot of things that one could, at this time take, if one were to take the time to say about legal aid in the Province and how it can be improved. I hope that sometime in a future sitting of the House that I will have an opportunity to make some points in connection with this matter. However, in the interest of time, I am going to refrain from doing that at the present time.

I learned a lot in the House yesterday. In speaking responsibly, I think, to legislation that is going through this House, I made eight or ten what I considered to be very worthwhile suggestions of things that we as legislators should look into. Some of them, the hon. Minister of Justice (Mr. Ottenheimer) of course agreed with. But I learned one thing; another member gets up and says that there is dope smoked in Confederation Building, what do we get in the print today but headlines, black borders! Everything that I said, that I thought, you know, I was being constructive, and things that concerned me in connection with it, not one line. Maybe there is a lesson to be learned there.

In the meantime, in connection with this particular amendment, Mr. Speaker, I notice in the previous legislation that "the Lieutenant-Governor in Council may upon the recommendation of the commission appoint a provincial director of Legal Aid." In this particular

MR. THOMS: amendment it is now being made compulsory that the Commission must, the imperative is being used, the imperative "shall" is being used. In the second part of the amendment there it says the Commission may; in the first part it says the Commission shall. I think probably that the word "may" should be used in both sections instead of "shall" and "may".

AN HON. MEMBER: (Inaudible) another (inaudible) act.

MR. THOMS: If I may, Mr. Speaker, with the hope of getting at least one amendment in this House moved by the Opposition and approved, I would like to move that the word "shall" be deleted and the word "may" substituted therefore.

MR. MARSHALL: Mr. Speaker, on a point of order. You know, we value what the hon. member said but the appropriate place to do it, if the hon. member could -

MR. THOMS: What about on third reading?

MR. MARSHALL: No, in Committee.

MR. THOMS: In Committee.

MR. MARSHALL: But we welcome the suggestion and it is a very reasonable suggestion and we would be delighted to entertain the hon. gentleman's amendment in Committee.

MR. SPEAKER (Simms): To the point of order. That is obviously correct.

On motion, a bill, "An Act To Amend The Legal Aid Act, 1975," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 67).

MR. MARSHALL: Order 47, Bill No. 7.

Motion, second reading of a bill, "An Act To Amend The Liquor Control Act, 1973."

MR. SPEAKER (Simms): The hon. Minister of Finance.

DR. J. COLLINS: Mr. Speaker, this amendment also has two features to it. One is fairly minor; it just redefines what a meal is in terms of present day cost. The second provision is that the licencing for the retailing of beer, the selling of beer off premises is transferred back to the Liquor Control Board from the Liquor Corporation. There is more

DR. J. COLLINS: of a control feature to this whereas the Corporation deals more with merchandising. So it is thought to be more appropriate that this should be under the Control Board. So those are essentially the two features in this bill.

MR. SPEAKER (Simms): The hon. member for the Strait of Belle Isle.

MR. ROBERTS: Mr. Speaker, there is certainly nothing in this bill that requires any objection from us. You know, a definition of what a meal is is really an unimportant thing although I for one, as an individual, feel that

MR. E. ROBERTS:

if we are going to allow people to drink we should not go through the charade, nor do we, of requiring them to "buy a real" at the same time. And I can recall a number of years ago in Nova Scotia, you know, you had to have a sandwich, I think, if you had a beer. I notice my friend from Pleasantville (Mr. J. Dinn) has apparently run into it too; you go in and you get the sandwich but, I mean, if you ever ate it you would just about destroy the shop's entire stock of sandwiches. It had obviously been around for some considerable time, like in Japan where they do not put menus outside the restaurants, they put coloured reproductions of the kinds of food that are served and so you can see what is - probably just as well they do not in some of the restaurants in Newfoundland and throughout Canada, I would guess. But having said that, it also makes good sense to let the Liquor Licencing Board, as opposed to the vending corporation, the selling corporation, to let the Licencing Board have the authority to licence that somewhat unusual and perhaps unique category known as Brewers' Agents, and I think that that is the group of people that these amendments are aimed at, the people who seem to think that, you know, you are going to get a bonanza if you can sell beer by the case out the backdoor, and I suppose money has been made on it but I understand you have got to sell an awful lot of beer out the backdoor and an awful lot of people are trying to sell that beer so you are really not going to do very much in the way of getting rich on it. However, it is a method that we adopted of distributing beer in this Province and it seems to work fairly well.

It obviously makes sense to put in the licencing authority all of the licencing functions and to take away from the vending, the selling, the merchandising operation, the Newfoundland Liquor Corporation itself, any requirement they licence or that they control the retail sale value. So we support the bill, Sir.

On motion, a bill, "An Act To Amend The Liquor Control Act, 1973", read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 70).

Motion, second reading of a bill, "An Act To Amend The Members Of the house of Assembly (Retiring Allowance) Act". (Bill No. 68).

MR. SPEAKER: (Simms) The hon. member for the Strait of Belle Isle.

MR. E. ROBERTS: Mr. Speaker, just before that I think it should be noted that I am told that the hon. gentleman for Terra Nova (Mr. T. Lush) has been asked to do a television interview, I do hope that he made it.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Are you suggesting a special recess or anything of that nature?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. President of the Council.

MR. W. MARSHALL: I have something even further to add, Mr. Speaker. I just called a bill that has not been circulated, it has not been printed, so I will withdraw that Order call.

MR. SPEAKER: It has been agreed to withdraw Bill No. 68.

Motion, second reading of a bill, "An Act To Amend The Companies Act". (Bill No. 73).

MR. SPEAKER: The hon. President of the Council.

MR. W. MARSHALL: Mr. Speaker, this is a necessary amendment to the Companies Act but not one of real great import. What it does, it permits now for a creditor of a company to make application to the court to have that company reinstated on the register of the Registry of Companies. As it presently exists, it is only a shareholder who can make this application and it is conceivable in the present situation that a company wishing really to deprive

MR. W. MARSHALL: the creditors of their rights could allow the company, instead of being wound up, to be removed from the register of the company itself and thereby in effect avoid the incidents of its creditors. The purpose of this is to put the creditors in the same position as a shareholder would and when the company is so reinstated then it continues on.

MR. SPEAKER: (Simms) The hon. member for Grand Bank.

MR. L. THOMAS: Mr. Speaker, as the hon. the President of the Council said -really, I think it has probably more importance than he gave it. I am really surprised that this amendment has not been made some time ago because there must be a lot of situations in which it is beneficial as far as the creditors are concerned to have the right-or any other interested person, really-to take such an action particularly where we do have a lot of private companies, really family owned companies where you find a wife and the husband and somebody else holding the shares. Mr. Speaker, we would certainly support this, and particularly myself as a lawyer dealing with companies every day, certainly support this amendment.

On motion, a bill, "An Act To Amend The Companies Act", read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 73).

MR. ROBERTS:

Mr. Speaker, the minister has given us an explanation and I have read the explanatory notes. I confess it has been some time since I read the bill itself but it does seem to me, and as the minister has explained it to the House, straightforward, routine, quite acceptable. The effects that will be achieved by these amendments seem to be acceptable and if I seem to be a little hedging it is simply because I have not had a great deal of time to meditate upon it but based on that and on the minister's assurances we are prepared to accept it. The Occupational Health and Safety legislation seems to be working fairly well. It is certainly a step forward and a necessary one. There is nothing in this bill that would detract from the way it works and in fact it would either improve the way it works or it would simply reflect changes such as the minister addressed himself to, the bringing together under the Occupational Health, under Dr. Colohan's direction, all of the electrical inspection functions, and that makes some sense too. So we shall support the bill for those reasons and on those understandings.

On motion, a bill, "An Act To Amend The Occupational Health And Safety Act," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 52)

On motion, that the House resolve itself into a Committee of the Whole on said bills, Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE

A bill, "An Act To Amend The Crown Lands Act." (Bill No. 33).

Motion, that the Committee report having passed the bill without amendment, carried.

A bill, "An Act To Amend The Gasoline Tax Act, 1978 (No.2)." (Bill No. 63).

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL: The hon. Minister of Labour and Manpower (Mr. Dinn) is conferring with the member there just to find out our next proceedings and if it is possible .

MR. SPEAKER: (Simms) The hon. member for the Strait of Belle Isle.

MR. ROBERTS: I did not consult with my colleagues but I will take it on my own head to say that for our part we will certainly go ahead and debate the bill. It seems to be straightforward.

MR. MARSHALL: I suggest what we can do in fairness is we will call the bill now and the minister can introduce it and explain it. If there is anything really involved that requires a meeting of the Oppositions caucus or some other matter, then we will have to take another look at it.

Motion, second reading of a bill,
"An Act To Amend The Occupational Health And Safety Act." (Bill No.52)

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, this is relatively important in that, as hon. members will know, we transferred the electrical section of Hydro, all the electrical inspectors from Hydro to the Occupational Health and Safety Division of Labour and Manpower. The Hydro Act covered electrical inspections and brought in the National Building Code with respect to electrical inspections and what we are doing now is putting that section under the Occupational Health and Safety Act so when the inspector does do the inspections he is covered by a code and that code is the National Building Code. It is necessary in that the inspectors have been moved, Occupational Health and Safety is in one division and we feel that we have to have this amendment in order for them to operate under the Act.

AN HON. MEMBER: Hear, hear!

MR. SPEAKER: The hon. member for the Strait of Belle Isle.

MR. CHAIRMAN (Butt): A bill, "An Act To Amend The Occupational Health And Safety Act." (Bill No. 52).

Motion, that the Committee report having passed the bill without amendment, carried.

A bill, "An Act To Amend The Medical Act, 1974." (Bill No. 54).

MR. ROBERTS: Mr. Chairman, I simply want to say on this bill I raised some questions at second reading and the Minister of Health has been kind enough to look into it and -

MR. MARSHALL: You have the answer?

MR. ROBERTS: Yes, I have the answer and the Minister of Health and I were both in a state of invincible ignorance and I think everybody else was. It should be recorded that the legislature provided in 1974 for lay members on the Medical Board. I do not know if they have been appointed or not, but certainly the provision is there and it is a wise provision. I doubtless supported it at the time and I do now. I think it is worthy of note, if anybody is noting anything, that nobody in the House was aware of that provision. I certainly was not and I think it is fair to say the minister was not either.

On motion, clause 1, carried.

Motion, that the Committee report having passed the bill without amendment, carried.

A bill, "An Act To Amend The Memorial University (Pensions) Act." (Bill No. 53).

Motion, that the Committee report having passed the bill without amendment, carried.

A bill, "An Act Respecting The Reorganization Of Certain Government Departments And Matters Related Or Incidental Thereto." (Bill No. 65).

On motion, clauses 1 through 9, carried.

MR. ROBERTS: Do you want to take them by groups? There are over forty clauses in there, take them by groups of ten, Mr. Chairman?

MR. MARSHALL:

There are no amendments.

MR. ROBERTS:

No amendments? I assumed

that.

On motion, clauses 20

through 46, carried.

Motion, that the Committee

report having passed the bill without amendment, carried.

A bill, "An Act To Amend

The Public Service (Pensions) Act." (Bill No. 64).

On motion, clauses 1 through

3, carried.

MR. CHAIRMAN(Butt):

The hon. the Minister of

Finance.

DR. COLLINS:

Mr. Chairman, there is an

amendment here that will be moved by my hon. friend but this refers to clause 3.

MR. CHAIRMAN:

Clause 3?

DR. COLLINS:

It is on the bottom of page

6 and the top of 7. The amendment is to delete subsection 4 and substitute the following: "The Auditor General shall audit financial statements submitted under subsection 1 and there shall be attached thereto any report that the Auditor General may make in relation to those financial statements."

The reason for that is it is

thought more appropriate that the Auditor General and only the Auditor General should be auditing the books here.

MR. ROBERTS:

I certainly have no objection.

I would not object to a Chartered Accountant doing it, but it is certainly appropriate the Auditor General do it. The amendment seems quite straightforward.

On motion, amendment carried.

On motion, clause 3 as amended,

carried.

On motion, clauses 4 through

9, carried.

Motion, that the Committee report having passed bill no. 64 with amendment, carried.

A bill, "An Act To Remove Anomalies And Errors In The Statute Law." (Bill No. 71).

Motion, that the Committee report having passed the bill without amendment, carried.

A bill, "An Act To Amend The Legal Aid Act, 1975." (Bill No. 67).

MR. CHAIRMAN(Butt): Shall clause 1, carry?

MR. THOMS: Hold on now, hold on.

MR. CHAIRMAN: The hon. the member for Grand Bank.

MR. THOMS: Thank you very much, Mr. Chairman. My friend the member for Terra Nova (Mr.Lush) has gotten his fondest wish and the Christmas gift he was looking for. I certainly would not want this moment to pass without having my fondest wish come true and that is to make an amendment that has a possibility of the approval of the government side of the House.

I should like to move an amendment to Clause 1,subclause 1, whereby immediately after 'commission' and before 'appoint' the word 'shall' be deleted and substituted therefore, the word'may'.

I am not going to take my thirty minutes to speak on it either.

MR. MARSHALL: (Inaudible) amendment and I cannot resist it, Mr. Chairman, to say that it is certainly a welcome amendment. It is one what we certainly accept and I hope it serves to show the hon. member the value of this Committee and the value o the Opposition to this House.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: I think, Mr. Chairman, it shows the value of the member for Grand Bank (Mr. Thoms) and it also shows that blood is thicker than water and the former law firm of Cook, Bartlett, Chalker, Marshall and Thoms is still at it, Sir.

MR. MARSHALL: Yes. He retained a gleam of it.

MR. ROBERTS: What?

MR. MARSHALL: He retained something of it.

On motion, clause 1 as amended, carried.

Motion, that the Committee report having passed the bill with amendment, carried.

A bill, "An Act To Amend The Liquor Control Act, 1973." (Bill No. 70).

Motion, that the Committee report having passed the bill without amendment, carried.

A bill, "An Act To Amend The Companies Act." (Bill No. 73).

Motion, that the Committee report having passed the bill without amendment, carried.

MR. MARSHALL: I just want a clarification, Mr. Chairman. The Occupational Health and Safety Bill has gone through Committee, has it not? Bill No, 52.

MR. ROBERTS: Bill No. 52, I think it is.

MR. MARSHALL: Yes, okay.

I move that the Committee rise and report progress, Mr. Chairman.

On motion, that the Committee rise, report progress and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. SPEAKER (SIMMS): The hon. member for Conception Bay South.

MR. CHAIRMAN (BUTT): Mr. Speaker, the Committee of the Whole has considered the matters to it referred and reports bills, 64, and 67 with amendments; and bills 33, 63, 52, 54, 53, 65, 71, 70, and 73 without amendments and ask leave to sit again.

MR. SPEAKER: Did the hon. member say, Bill No. 53?

MR. CHAIRMAN (BUTT): Bill 53, yes.

MR. SPEAKER: The Chairman of the Committee of the Whole reports that it has considered the matters to it referred and has directed him to report bills Nos. 33, 63, 54, 65, 71, and 70, 73, 52 and 53 without amendment and bills nos. 64 and 67 with some amendment.

On motion, report received and adopted.

On motion, amendments read a first and second time.

On motion, the following bills were read a third time, by leave, ordered passed and their titles be as on the Order Paper.

A bill, "An Act To Amend The Crown Lands Act." (Bill No. 33).

A bill, "An Act To Amend The Gasoline Tax Act, 1978." (No. 63).

A bill, "An Act To Amend The Occupational Health And Safety Act." (Bill No. 52).

A bill, "An Act To Amend The Medical Act, 1974." (Bill No. 54).

A bill, "An Act To Amend The Memorial University (Pensions) Act." (Bill No. 53).

A bill, "An Act Respecting The Reorganization Of Certain Government Departments And Matters Related Or Incidental Thereto." (Bill No. 65).

A bill, "An Act To Amend The Public Service (Pensions) Act." (Bill No. 64).

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A bill, "An Act To Remove Anomalies
And Errors In The Statute Law." (Bill No. 71).

A bill, "An Act To Amend The Legal
Aid Act, 1975." (Bill No. 67).

A bill, "An Act To Amend The Liquor
Control Act, 1973." (Bill No. 70).

A bill, "An Act To Amend The
Companies Act." (Bill No. 73).

MR. SPEAKER: (Simms) The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, the Lieutenant-Governor is presently making one of his Christmas visits to one of the institutions and I am given to understand that he will be leaving there at 12:30, which is in a few moments time, and he will be proceeding here to give assent to the bills. I am wondering if we could recess to the call of the Chair.

MR. ROBERTS: Mr. Speaker.

MR. SPEAKER: The hon. the member for the Strait of Belle Isle.

MR. ROBERTS: Of course we agree, but I wonder if it might be appropriate - we normally take a moment or two at the end of the session to say a word or two of deserved praise, I think, not on behalf of each other and ourselves - we do that all the time - but on behalf of the members on this side, I would like simply to say that we are very much conscious of the staff of the House, Your Honour's staff, the Pages, the Clerks at the table, the Law Clerks, the attendants of all who help us in the House. I know at times all of us - and I am guilty of this - tend to perhaps be short or to be preoccupied and possibly to give offence in so doing, but that may be inevitable, given the fact that occasionally there are strong debates here and strongly held opinions expressed in strong and vehement fashion, but I do want to say for those of us on this side that we are very conscious of the help and of the assistance, and I may say, in my years in the House, which are more than some and perhaps not as many as others, I do not think we have ever been better served than we have. And I want to say one other word - and perhaps what I am saying now is when His Honour finishes we can adjourn quickly - but I want to say, and I know I speak for all of us on this side, that

MR. ROBERTS: Your Honour's occupancy of the Chair to date has been with distinction and certainly in the highest traditions of the House, and we on this side very much appreciate that, are very much aware of it and wish to acknowledge it. And I also think that the era of good feeling which continues to exist, sometimes a little strained, but, nonetheless, does continue to exist between both sides of the House, is not only in the interests of the members of the House, Sir, but in the interests of the House, itself, and I believe, very much in the interests of the Province. I think this session has been a useful one in many ways and has been a good one. It has certainly been a pleasant one in many ways, and I do want to say that for my part - and I know I speak for my friend, the Leader of the Opposition, and for all of us on this side, we have found that to be most welcome and we believe and hope that it augurs well for the future.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: (Simms) The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, I would certainly like to be associated with the very eloquent words that the hon. member just spoke in extending our appreciation to all members of the staff of this House and particularly to Your Honour. This is the first session that Your Honour has been in the Chair, and certainly, I know that all members very, very much appreciate the competent and effective and impartial way in which Your Honour took up the mantle of Speaker in this House and has particularly contributed in this session to the way in which the session has been conducted.

I would also - I had intended to do this, Mr. Speaker, at the time of the adjournment motion, but I think it is just as appropriate now - I would also like to extend our thanks on behalf of the government, and certainly I know I speak on behalf of the Premier, to the members of the Opposition for their co-operation, and particularly, the Leader of the Opposition and the Opposition House Leader who has done so much, Mr. Speaker, in this session - I do not think we need to belabour the fact any - but to say that we feel that, certainly, the House is operating

MR. MARSHALL: now in a manner which the public of the Province can be proud. And I think all members can take credit for it.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: But I would particularly like to express my appreciation to the Opposition and its leader with respect to it and wish them all the best for Christmas and in the New Year, every success in the New Year, except, of course, I know that hon. members would not wish me to wish them electoral successes, but anything short of electoral successes, we certainly wish in all good will to the hon. gentlemen opposite.

MR. SPEAKER: (Simms) The hon. the Leader of the Opposition.

MR. JAMIESON: Mr. Speaker, it has always been a great source of mystery to me why it is that the good will and warm feelings that are generated at this time of year dissipate so rapidly after the festive season

MR. JAMIESON:

is over. I am not talking in spiritual terms here when I say that but it does seem to me that it is a rather sad commentary on the human condition that we are not capable as a race, if you like, of realizing that the kinds of things that we are capable of doing during this season could be carried over throughout all of our human relationships. But be that as it may, I suppose also we should consider ourselves fortunate that at least once every year we have the opportunity to in a sense purge ourselves of some of our less desirable traits as human beings and so, on this occasion, and in the fond hope that indeed we will learn something from these days and project them into the New Year, I do want to associate myself with the remarks of my distinguished and learned colleague, the House Leader (Mr. Roberts), and also with those of the President of the Council.

You, Mr. Speaker, have been most considerate and most generous to the Opposition. I concede on this occasion that there have been occasions perhaps when I might even agree that you have been overly generous. But I think it is in the tradition -

MR. SPEAKER:

I think you might be going too far.

MR. JAMIESON:

I was about to say that I think that is in the best tradition, the best tradition of the best Speakers, that is that we in Opposition know very well that our fate is largely in your hands and I think you have demonstrated a thorough understanding of the necessity to "bend over backwards" to ensure that all sides of this House are heard from and heard from in the appropriate way.

May I, in conclusion, extend to not only my own colleagues here, but to the hon. the Premier, to members of the government, and of the government party, our most sincere best wishes. I hope that we will have a good Christmas in Newfoundland, and I can assure hon. members opposite that we will continue with our commitment to support and to be co-operative on anything that will advance the future of the Province we all love so very much during the year and the years that lie ahead.

Happy New Year everyone.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Simms):

The hon. the Premier.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

Cod fish notwithstanding, offshore

notwithstanding, a whole bunch of other things over which he can debate for a long, long period of time, the pros and cons of, some of us like our emphasis one way or another, let me go on record as we draw to the close of a very significant period in the history of Newfoundland as it relates to the House of Assembly, the Parliament of Newfoundland and Labrador, because I think we have this year, as politicians, as Newfoundlanders, of whatever political stripe, made significant change to the operation of this institution, to make it, I think, more responsive to the people. I think the legislation that we have passed, it has been significant reform in which there has been a fair amount of agreement on all sides, that it is necessary, important legislation. So I think on all fronts, both in the structure and manner in which we have operated the House of Assembly in the last number of weeks and months, and in the actual bills and legislation that have been put before the House, that we have seen somewhat of a different temperament and personality to this Legislature and I think it is getting out to the people around the Province and I think they feel that there is this better temperament, that we can disagree but we disagree intellectually rather than in personal terms, and that we can still, as we did yesterday evening, as we did the evening before that, sit down with one another and have a few drinks and have a yarn and still get back the next day and have our philosophic or policy differences, but still be persons and people out together to try to do our part to make this Province a better place in which to live and work and have our being. And in that context and in that light I would like sincerely to go on record to thank the Leader of the Opposition (Mr. Jamieson), and the House Leader on the opposite side, the member for the Strait of Belle Isle (Mr. Roberts), for their co-operation in making this a productive

PREMIER PECKFORD:

session of the House. I think the President of the Council (Mr. Marshall) and the Opposition House Leader (Mr. Roberts) worked very well in assuring that gentlemen's agreements were honoured on both sides so that we could get on with the business of getting major legislation through and having some co-operative spirit here. So it is in that context and in that light that I want to wish all hon. members and the staff at the table and the pages, the best of a Christmas Season and a 1980 which will see even greater wealth and greater optimism being shown by all our people as we move ahead to do what is necessary to make ourselves better off, to make our Province better off and to make our country better off after February, whatever the date may be.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER(Simms):

I would be remiss perhaps if I did not express my appreciation and thanks to hon. members for the kind words, and certainly I would be remiss if I did not thank hon. members on behalf of the staff, the Clerks, the pages, the people in Hansard and so on, for the kind words as well. I can assure you that those comments are very much appreciated.

Is it agreed to recess for a few moments to return at the call of the Chair? So done.

RECESS

MR. SPEAKER:

Order, please!

SERGEANT-AT-ARMS:

Mr. Speaker, His Honour the Lieutenant-Governor has arrived.

MR. SPEAKER:

Admit His Honour the Lieutenant-Governor.

May it please Your Honour, the General Assembly of the Province has at its present session passed certain bills to which, in the name of and on behalf of the General Assembly, I respectfully request Your Honour's assent.

A bill, "An Act To Reform The Law Respecting The Property Of Married Persons." (Bill No. 1).

A bill, "An Act To Amend, Revise And Consolidate The Law Relating To The Establishment And Administration Of Municipal Government In The Province." (Bill No.58).

A bill, "An Act Respecting Small Claims." (Bill No.17).

A bill, "An Act Respecting Provincial Offences And Provincial Court Inquiries." (Bill No. 16)

A bill, "An Act To Provide For The Provision Of Lower Cost Prescription Drugs." (Bill No.12).

A bill, "An Act To Repeal The Government-Atlantic Gypsum, Limited-Lundrigans Limited (Agreement) Act, 1969." (Bill No. 55).

A bill, "An Act To Amend The Provincial Court Act, 1974." (Bill No. 22).

A bill, "An Act To Remove Anomalies In Provincial Legislation That May Be Construed As Discriminatory." (Bill No. 21).

A bill, "An Act To Amend The Pharmaceutical Association Act," (Bill No. 14).

A bill, "An Act To Amend The Schools Act." (Bill No. 6).

A bill, "An Act To Repeal The Fuel Oil Tax Act." (Bill No. 8).

A bill, "An Act To Amend The Workers' Compensation Act." (Bill No. 25).

A bill, "An Act To Amend The Crown Lands Act." (Bill No. 33).

A bill, "An Act To Amend The Gasoline Tax Act, 1978 (No. 2). (Bill No. 63).

A bill, "An Act To Amend The Occupational Health And Safety Act." (Bill No. 52).

A bill, "An Act To Amend The Memorial University (Pensions) Act." (Bill No. 53).

A bill, An Act Respecting
The Reorganization Of Certain Government Departments And Matters
Related Or Incidental Thereto." (Bill No. 65).

A bill, "An Act To Amend
The Public Service (Pensions) Act." (Bill No. 64).

A bill, "An Act To Remove
Anomalies And Errors In The Statute Law." (Bill No. 71).

A bill, "An Act To Amend
The Legal Aid Act, 1975." (Bill 67).

A bill, "An Act To Amend
The Liquor Control Act, 1973." (Bill No. 70).

A bill, "An Act To Amend
The Companies." (Bill No. 73).

A bill, "An Act To Amend
The Medical Act, 1974." (Bill No. 54).

Hon. Gordon A. Winter(Lieutenant Governor): In Her Majesty's
Name I assent to these bills.

HON. GORDON A. WINTER(Lieutenant-Governor): Mr. Speaker,
may I take this opportunity of wishing you and all the hon. members
of this House a Merry Christmas and a Happy New Year.

AN HON. MEMBER: Hear, hear!

MR. SPEAKER(Simms): The hon. the President of
the Council.

MR. MARSHALL: Mr. Speaker, before moving
the usual adjournment notice, I should point out to hon. members
that the adjournment notice will set the fixed day for adjournment
to February 27. However, unless it is necessary, which we do not
immediately anticipate right now, to call back the House, this
will be the last portion of the first session. What will be
intended, will be towards the end of February the present intention
of the government is to resume this Assembly with the second session
of the Assembly.

MR. ROBERTS: We will meet to prorogue
and then -

MR. MARSHALL: We will meet to prorogue.
As I say, it will be February 27. It may well be that for planning
sake it may be February 20, and we will recall the House at that
time. But that is the intention so that all hon. members will know
what the situation is.

Mr. Speaker, I move that
when this House adjourns today it will stand adjourned until
Wednesday, February 27 at 3:00 p.m. provided always that if it
appears to the satisfaction of Mr. Speaker, or in the case of his
absence from the Province the Chairman of Committees, after
consultation with Her Majesty's Government, that the House should
meet at an earlier time than the adjournment, the Speaker, or in
his absence the Chairman of Committees, may give notice that he
is so satisfied and thereupon the House shall meet at the time
stated by such notice and shall transact its business as if it had
been duly adjourned to that time.

On motion, the House at its
rising adjourned until Wednesday, February 27, 1980 at 3:00 p.m. or
to the call of the Chair.