

PRELIMINARY

UNEDITED

TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

3:00 p.m. - 6:00 p.m.

JULY 14, 1981

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (BUTT): Order, please!

I would like to welcome to the Speaker's gallery today on behalf of all hon. members three very distinguished visitors from the United Kingdom, Mr. and Mrs. Tim Fortescue and Mr. Peter Everett. Mr. Fortescue is a former MP from the UK and he is also the brother-in-law of our newly appointed, His Honour, the Lieutenant-Governor. Welcome.

SOME HON. MEMBERS: Hear, hear!

ORAL QUESTIONS:

MR. SPEAKER: The hon. Leader of the Opposition.

MR. STIRLING: Mr. Speaker, I have a question for the Premier based on the latest unemployment statistics and the comments that the Premier made last week about the full employment in the Province and his happiness that the drilling operation has been cut back and he does not want to encourage additional exploration.

MR. NEARY: Overheat the economy.

MR. STIRLING: Does not want to overheat the economy. I wonder would the Premier please tell us for the benefit of the construction workers who are unemployed this Summer because of no roads agreement and for the benefit of those who normally work in the construction trade, what plans he has to create some employment during the Summer? Otherwise we will be hit with the double problem of no employment this Summer and no unemployment insurance for the Winter.

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: I am very pleased, Mr. Speaker, that the Leader of the Opposition would begin this week's activities in the House with this question because we

PREMIER PECKFORD: have been boastful, Mr. Speaker, in the last number of weeks about the rate at which we generate employment in this Province and we are very, very proud that over the last twenty-four months we have reduced our unemployment rate from over 17 per cent to under 13 per cent. And that has been a fantastic achievement, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: So I thank the Leader of the Opposition for his question. I know that he is as proud as I am to be able to indicate those kinds of figures today. I am sure the Leader of the Opposition is as proud as I am to be able to say that in the last number of weeks we announced \$31 million worth of municipal projects.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: I know the Leader of the Opposition is as proud as I am that we announced about a month ago \$20 million of road work for this Province. I am sure that the Leader of the Opposition joins me in being proud that we are able to generate then over \$50 million worth of new work in municipal projects and in highways projects.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (BUTT): Order!

PREMIER PECKFORD: Now, Mr. Speaker, I also know that the Leader of the Opposition will join with me in being proud as a Newfoundland in saying that we were able to begin and start a new hydro development on Cat Arm, \$287 million, and an \$11 million road project already awarded.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: So, Mr. Speaker, we are moving as fast as we can with these projects, with these tenders to create these jobs. We are completing now the Stephenville linerboard mill conversion and that paper mill now is producing paper for the first time and being an efficient and well-run operation, employing people in Stephenville and Western Newfoundland whereas before it was a white elephant. We are very proud of that, Mr. Speaker, and the construction work that that has generated, The Upper Salmon hydro project is well underway and I guess there are five or six hundred Newfoundlanders now working on the Upper Salmon from the Bay d'Espoir area, which is eliminating a lot of depression in that area.

The forest industry, Mr. Speaker, is going at full blast now around the Province. We are into salvage operations for bug infested timber. We are into logging operations, even though the fire temporarily delayed some of it in Central Newfoundland; logging operations are at a full all time high. So we are really, really, Mr. Speaker, proud today that the Leader of the Opposition would use as his lead question the whole question of employment because we are proud, as a government that over the last twenty-four months we have been able to create 21,000 new jobs and that is a record.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: A supplementary, Mr. Speaker.

MR. SPEAKER (Butt): A supplementary, the hon. the Leader of the Opposition.

MR. STIRLING: Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order!

MR. STIRLING: Mr. Speaker, that is a shocking display of arrogance and complacency and out of touch with reality.

MR. STIRLING: Mr. Speaker, apparently the worst fears of people all over this Province, the people are seeing that this Premier really does believe, really does believe that the Province is in a great state.

Mr. Speaker -

MR. MARSHALL: A point of order, Mr. Speaker.

MR. SPEAKER (Butt): A point of order, the hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, this is the Question Period and is not the time for the hon. Leader to be making a speech.

MR. STIRLING: Mr. Speaker.

MR. SPEAKER: To the point of order, the hon. the Leader of the Opposition.

MR. STIRLING: That garbage, Mr. Speaker?

MR. SPEAKER: Well, to the point of order, I would rule there is a point of order. Since it is a supplementary question, I would ask the hon. the Leader of the Opposition if he would - we allow a brief preamble to the supplementary - I would ask the hon. the Leader of the Opposition if he would put the question.

MR. STIRLING: Mr. Speaker, the reason for the preamble, and I beg the indulgence of the Speaker, the reason for the preamble is that the Premier appears to indicate that the world is working along fine, there is full employment in the Province, and he is not aware of the problem.

MR. STIRLING: Mr. Speaker, the question that I would like to ask the Premier, and maybe people are afraid to tell him the truth or advise him of what is happening, has he been advised about the number of companies in the Province that are now on the verge of bankruptcy -

MR. NEARY: Cabot has not told him.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: - and unless there is an immediate turnaround, and unless there is something to perk up the economy and start sales again, that there are a number of companies that are big employers in this Province that are on the verge of bankruptcy? Has the Premier been advised of the seriousness of that situation? And, if so, what is he doing about it?

MR. HODDER: The Province is on the verge of bankruptcy.

MR. SPEAKER (Butt): The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, somebody just mentioned that the Province is on the verge of bankruptcy. As I indicated to hon. members opposite the other day, of the other provinces in Eastern Canada which are comparable to ours or to which we are usually compared, like Nova Scotia and New Brunswick, this Province is the only province of the three that can boast of a current account surplus, balancing our current account this year. The Province of Nova Scotia and the Province of New Brunswick have not been successful in doing so. And we are very proud of that fact that we are managing our economy and managing our affairs reasonably, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: Now if the hon. Leader of the Opposition wants to scoff at that \$287 million, if the Leader of the Opposition wants to scoff at \$31 million and \$20 million for a total of \$340 million approximately this year new money, and wants to forget about the other \$155 million on the Upper Salmon,

PREMIER PECKFORD: bringing the total to over \$490 million or almost a half billion dollars of construction activity so he can, Mr. Speaker. The Leader of the Opposition can scoff at a half billion dollars if he wants to. ..

Now as it relates to businesses in the Province, let us not confuse a lot of the construction activity where it is happening in the Province, the nature of the economic activity that is going on right now as opposed to some businesses. I am aware that interest rates, because of the policy that the Canadian Government is now pursuing, interest rates are fairly high. That is a national problem. May I say that is an international problem that apparently the Prime Minister of this country, who on most occasions when he is openly philosophizing, identifies himself with the left wing of the economic movement, mainly Mr. Galbraith and a few more, and whilst he does mouth that and espouse that from time to time, he does closet himself away into policies that are being enunciated which are more in line with the right wing and Mr. Friedman and a few of those, and Mr. Regan in the United States. So that is a national problem. Interest rates are high because the Canadian Government chooses a certain course of action to get us out of inflation.

Now, Mr. Speaker, we have as a Province very little control over that, and if the Prime Minister has his way and the constitutional proposals go through we will have even less influence over it in the future.

MR. NEARY: Time will tell.

PREMIER PECKFORD: Now we can do very, very little about interest rates, and the chief component of a problem which a lot of small and medium sized businesses

PREMIER PECKFORD:

have is the whole question of interest rates. And not only is it impacting, Mr. Speaker, upon the business community, but it is impacting upon government as we go to try to borrow money ourselves to carry out these much needed projects that I indicated a few minutes ago. So obviously, Mr. Speaker, to answer the Leader of the Opposition, this government, and I am personally aware that there are throughout Canada a lot of businesses that are in trouble but that the trouble stems from a fiscal and monetary policy now being pursued by the Canadian federal government, which is in line with, in all intents and purposes that now being pursued in the United Kingdom and that is presently being pursued with a great deal of vigor in the United States.

MR. STIRLING:

Mr. Speaker.

MR. SPEAKER (Butt):

A supplementary. The hon. Leader of the Opposition.

MR. STIRLING:

Mr. Speaker, for a Premier who is so concerned about long-term planning, and this year, because he has essentially no roads programme, is he aware that many of the construction companies are going to be selling off equipment that we should be using and keeping here in Newfoundland, selling off equipment at bargain prices, bargain basement prices, and that next year, if we can get some federal money brought into the Province since the Province is not going to spend any, that we will be increasing costs all over again because these companies will be having to buy new equipment and that we are in a situation where we are being penny wise and pound foolish? Is the Premier going to do anything to encourage these companies to hope that he is going to put some additional money into construction or road construction, is there anything at all in the plans to be done this Summer or this Fall which will give any hope to any construction workers or any construction

MR. STIRLING: companies or is the Premier going to continue this hang tough, bankrupt the Province idea for another year?

MR.SPEAKER (Butt): The hon. the Premier.

PREMIER PECKFORD: I do not know — the Leader of the Opposition talked about the roads situation in the Province, highway construction, transportation. I met just a short time ago with the Road Builders Association and I am aware of the situation facing them. That was one reason why, Mr. Speaker, that we expedited the Cat Arm development especially the front end part of it which had road construction in it, and there is an \$11 million contract awarded to Lundrigans Limited for the construction of that road, so we are aware of that and that is why we have pursued with a great deal of vigor the signing of the Coastal Labrador agreement because it also had a large highway component in it. And we were successful in getting that signed, that Coastal Labrador agreement, on good terms for the Province.

MR. STIRLING: Ninety per cent federal government.

PREMIER PECKFORD: The federal government

PREMIER PECKFORD: have persisted in trying to get us involved in a very, very heavy expenditure at 50/50 which we could not afford and which the Opposition would have accused us of then saying we could not afford. So we argued and negotiated for a good deal on the Coastal Labrador agreement for the people of this Province and, therefore, that includes a component for highway construction. So besides the \$20 million or \$21 million, up from \$15 million last year in direct highway expenditure, we have also got the \$11 million expenditure on the Cat Arm Development and the additional millions of dollars, up to \$20 million, I guess it is, on the Coastal Labrador agreement for highway construction. So the highway industry, whilst not as high as it was at peak with a TCH and a secondary roads agreement going by, is still nonetheless being kept going by this government through the various measures I just outlined.

As it relates to the Trans-Canada Highway and the secondary roads agreement, Mr. Speaker, we have said time and time again we will sit down yesterday and sign those agreements. We are ready today to sign those agreements. We are ready to begin the Trans-Labrador Highway, we are ready to begin a secondary roads agreement, we are ready to begin the Trans-Canada Highway reconstruction second phase. It only remains for the Canadian federal government to sit down and put their names on the agreement in the same way as we are ready to do so. We are ready to do it today. The proposals have been there for three or four years. They are not new proposals, they have all been there, all up there, Mr. Speaker. So we are doing all we can to stimulate the highway construction industry and are ready today to sign agreements to further stimulate it

PREMIER PECKFORD: to ensure that over the next number of years our highway contractors will not only stay in business but will thrive.

MR. LUSH: Mr. Speaker, a supplementary.

MR. SPEAKER (Butt): The hon. the member for Terra Nova, a supplementary.

MR. LUSH: Mr. Speaker, the sad thing, the disaster, the travesty about this Province's unemployment rate is the fact that the Premier is proud about it. He is proud about the fact that this Province has the highest unemployment in Canada. That is sad, Mr. Speaker. But my question to the Premier is the Premier alluded to the fact that the government was spending millions of dollars with respect to water and sewer projects and with respect to road building in the Province, and then went on to talk about the Upper Salmon and Cat Arm.

In view of the fact that there are so many districts in this Province, the Terra Nova district being one, which did not get any money for roads, did not get any money for water and sewer, and in view of the fact that the Upper Salmon and Cat Arm are only taking people from a certain area, in view of the fact that there is a regional preference policy in effect in these areas, what are people going to do, what are the workers of this Province

MR. LUSH:

going to do coming from areas like Terra Nova where there is no road work or there is no water and sewer and their children face starvation this Winter, what are they going to do?

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER (Butt): The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, the members of the Opposition can try to paint me as long as they want as being proud of our unemployment rate; I am proud that our unemployment rate is down from 17 per cent to 12 per cent.

SOME HON. MEMBERS: Hear, hear.

PREMIER PECKFORD: I am proud it is down 5 per cent.

I am extremely displeased -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

PREMIER PECKFORD: - that it is at 12.7 per cent, so displeased, Mr. Speaker, that this government has instituted a local preference policy on offshore to create jobs for Newfoundlanders first, which the Opposition are opposed to.

SOME HON. MEMBERS: Hear, hear.

PREMIER PECKFORD: That is how displeased I am with the unemployment rate even though it is down 5 per cent, is that we have instituted policies to try to put more Newfoundlanders to work and the Opposition Party are opposed to that local preference policy, opposed to having Newfoundlanders go to work, and yet they get up here in the House of Assembly and talk about unemployed Newfoundlanders. And then one member of the Opposition gets up and says, 'Can I have a local preference for my district in Cat Arm?', and another member of the Opposition gets up and says, 'I am against local preference'. When the Opposition Party gets its own house in order, Mr. Speaker, and supports this government on local preference offshore then, of course, we are prepared to take

PREMIER PECKFORD: individual questions from the Opposition.

We are proud of bringing our unemployment rate down 5 per cent, we are displeased that it is at 12.7, we will continue to generate new jobs, we will continue to institute a local preference policy so that not 720 Newfoundlanders are working offshore but thousands of Newfoundlanders are working offshore.

We are proud of that, Mr. Speaker, and even though the Opposition -

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: - try to make some headway, Mr. Speaker, I will say they are into a very strong headwind if they try to say that this government is not doing what it can to create jobs for Newfoundlanders, because every Newfoundlander around this Province knows that we are out there fighting for them to make sure that they get highly skilled jobs in this Province when it comes to the offshore and other places.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER (Butt): Order, please!

PREMIER PECKFORD: All you have to do is look at the polls, Mr. Speaker, and the Opposition -

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: - Mr. Speaker, if the Opposition looked at those polls, the Liberal polls as well as the independent polls, and if they looked at those polls they would not only not ask that question in the House of Assembly, Mr. Speaker, they would close down this House so fast and run for Summer holidays to wait for more bad weather for the government before they would start criticizing the policies that we have put forward.

SOME HON. MEMBERS: Oh, oh!

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PREMIER PECKFORD: That is what they do,
Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (BUTT): Order, please!

PREMIER PECKFORD: So what I say -

MR. HANCOCK: (Inaudible) poll
immediately.

MR. SPEAKER: Order!

PREMIER PECKFORD: So what I say -

MR. HANCOCK: You polled more (inaudible).

PREMIER PECKFORD: Well, I will provide the
hon. member for St. Mary's-The Capes with a copy of the poll
if he would like to have it. This is an independent poll.
It is very embarrassing. If the hon. member wants it - it
is a terrible indictment. And not only that, Mr. Speaker -

MR. HANCOCK: Who paid for it?

PREMIER PECKFORD: Nobody paid for it, it was
an independent one done by a group in Ontario. Nobody paid
for it. It was totally independent, very scientific.

But, Mr. Speaker, one of
the reasons why it would not provide some of that information
for some members of the Opposition is that, unlike a lot of
other Newfoundlanders, I do not want to see another leadership
convention this year. I do not want to see another leadership
convention this year. No way. Hang on, 'Stirling'.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: I do not want to see it. Hang
in there, 'Stirling'. Hang in there, Sir. We do not want any
more leadership conventions.

MR. SPEAKER: A supplementary, the hon.
member for Terra Nova.

MR. LUSH: Mr. Speaker, there is no wonder
that the Premier did not answer the question. But, Mr. Speaker,

MR. LUSH: for the information of the press, who seem to have great difficulty understanding this local preference policy, our position is clear on the local preference policy with respect to the offshore. But the Premier was mixing that up with what a local preference policy -

MR. MARSHALL: A point of order, Mr. Speaker.

MR. SPEAKER (BUTT): A point of order, the hon. President of the Council.

MR. MARSHALL: The hon. gentleman, Mr. Speaker, is not to make a speech. He will get his opportunity to answer speeches if he is still elected in the year 2010 when they might be able to form a government over here. In the meantime, he asks questions.

MR. SPEAKER: To the point of order, the hon. Leader of the Opposition.

MR. STIRLING: To that point of order, Mr. Speaker. I do not know what set of rules the President of the Council (Mr. Marshall) would like us to have here, but the Premier just got off. He is afraid of the member for Terra Nova. He is afraid to answer the question. He does not have the nerve to stand up to the member for Terra Nova because he knows he has got his story straight and he is afraid to face up to it and he is afraid to answer questions. He has his puppet over there jumping up on points of order. There is no point of order, Mr. Speaker.

PREMIER PECKFORD: Mr. Speaker, to that point of order, I confirm I am frightened to death of the member for Terra Nova. I am really scared of him. I confirm to the Leader of the Opposition that I am scared and I hope that the member for Terra Nova -

MR. STIRLING: Now we are making some progress.

PREMIER PECKFORD: - never asks me another question in this House, Mr. Speaker.

MR. SPEAKER (BUTT): Order, please! Order, please!
To the point of order, the Chair allows hon. members a brief preamble to their supplementary. And I understand that the hon. member for Terra Nova (Mr. Lush) was having a brief preamble before putting the question.

The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, in view of the fact that the Premier gave a convoluted answer, I was attempting to ask a somewhat less convoluted question. And, Mr. Speaker, the local preference policy that the Premier alluded to and the answer was not the one that I was talking about. The Premier was talking about the local preference policy with respect to the offshore oil. I was talking about the local preference policy - not a local preference policy, a regional policy, a sectional policy that this

MR. LUSH:

government have initiated with respect to the Upper Salmon and the Cat Arm. Now, Mr. Speaker, my question was, in view of the fact that there were so many districts in this Province that did not get money for road work, money for water and sewer, and in view of the fact -

SOME HON. MEMBERS:

Oh, oh!

MR. LUSH:

- where these jobs are located, where these projects are going on, these hydro projects where we are spending \$500 million of the people's money, in view of the fact that there are water and sewer projects going on in those areas and road work, will the Premier now, to give the people of this Province equal employment opportunity, rescind that local preference policy that is in existence in the Upper Salmon and on the Cat Arm?

PREMIER PECKFORD:

I ask the hon. member for Terra Nova (T.Lush) to ask the member to his left, the member for Windsor-Buchans (G. Flight), who is absent today, and his own colleague behind him, who wanted the local preference on Cat Arm, because those are two of the members who have been pushing the local preference to apply to those areas. So I do not know where the whole policy of the Liberal Party stands. Obviously, Mr. Speaker, we must give local preference to those people who are closest to the development that is going on and at the same time try to handle as many as we can from all over the Province. That will continue to be our policy, Mr. Speaker, and we know that most hon. members on the other side support.

MR. LUSH:

A final supplementary, Mr. Speaker.

MR. SPEAKER (Butt):

A final, supplementary, the hon. member for Terra Nova, followed by the hon. member for LaPoile.

MR. LUSH:

First of all, for the Premier's information, the unemployment rate has not changed one iota

MR. LUSH: in this Province over the last year, from June of 1980 to June of 1981. It is the same rate, 12.7 actual, and it is just about the same with the seasonally adjusted so there has been no change. So the Premier indicated that in the past twenty-four months that his government has created 21,000 jobs. That again, for the information -

AN HON. MEMBER: Do you have a question?

SOME HON. MEMBERS: Oh, oh!

MR. LUSH: - that again, for the information of the Premier -

MR. SPEAKER (BUTT): Order, please!

MR. LUSH: - is the total number of people that were in the labour force this year as compared to two years ago. So the question to the Premier is that his government is taking the credit for the growth in the labour force, the total growth in the labour force of 21,000 over a twenty-four month period. The Premier is taking total credit for that. He is excluding any jobs that the Federal Government may have created, any jobs created by private enterprise. The question is the Premier is taking total credit for that total growth in the labour force.

AN HON. MEMBER: What is the question?

MR. SPEAKER (Butt): Order, please!

The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, when the Leader of the Opposition started off this question some time ago, he was attacking the government for all the unemployment in the Province. But the Leader of the Opposition can attack the government for all the unemployment, we are surely going to take credit for the employment that we do create in this Province, I can tell you that right now.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: Let me get on to the specifics. Over 12.7 per cent;

PREMIER PECKFORD: This Province generates per capita more jobs than any other jurisdiction in Canada.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: Generates more jobs. Now that is something to be able to sustain. So that if we create, if there is more generation of employment in this Province than anywhere else -

MR. STIRLING: Show some proof.

PREMIER PECKFORD: It is in the statistics. The Minister of Labour (Mr. Dinn) has them all. The Minister of Labour has more statistics coming out of his head than all the rest of the Opposition put together on this whole question. And the Minister of Labour can get up when I sit down now and give the Leader of the Opposition all this data. Employment generation in this Province is higher than in any other jurisdiction in Canada.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: Now, in other words, there are more people coming into the labour force and we have to sustain that. So to keep your unemployment rate steady over this past twelve months is a big, big achievement and we do take a lot of credit for the reduction from over 17 per cent down below 13 per cent over the last two years - 186,000 people to 207,000 people in the labour force. So that is a big, big difference over that period of time. And we do, and that is the simple fact of the matter. If the Opposition over here can talk about all the unemployment and therefore lay all the blame at the altar of government, obviously, when we do do something, when we do start the Upper Salmon, when we do start the Cat Arm project, when we do turn around Linerboard in Stephenville, when we do give more impetus to the forestry industry, obviously, Mr. Speaker, we are going to take some of the credit

PREMIER PECKFORD: because a lot of our money is at risk in those developments. So we will take credit for that, Mr. Speaker, now and in the future, and before too long, Mr. Speaker, we will have passed 30,000 jobs, and then before too long, 40,000 jobs. Mr. Speaker, we are on our way to keeping all our commitments of two years ago and going well beyond them. How proud are we at all, Mr. Speaker, to know that when we plan, we plan with foresight so that we can keep the commitments that we made two years ago.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker, a supplementary.

MR. SPEAKER (Butt): A supplementary, the hon. the member for LaPoile.

MR. NEARY: Mr. Speaker, what a sad, pathetic sight the Premier is in this House today!

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: The hon. gentleman dealt with everything except the answers to the questions that were put to him by hon. members of the Opposition. He is prepared to take credit for the good times but he has a tendency to blame the bad times on Ottawa. Then he talks about polls and, in that regard, if I were the hon. gentleman, I would keep my eye on the Minister of Mines and Energy (Mr. Barry).

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Then he talks about reopening Labrador Linerboard mill; a Liberal concept, a mill that was started by the Liberals. They close down industries and reopen them again and try to pretend they are new industries.

My question to the hon. gentleman is, in view of the fact, Mr. Speaker, that the Statistics Canada

MR. NEARY: figures for the month of June show a two per cent increase over the previous month, the month of May, if the hon. gentleman had his time back would he have made that silly statement in the House the other day, that his government did not want to overheat the economy? If the hon. gentleman had his time back, would he have made that statement? And while the hon. gentleman is on his feet, let the hon. gentleman tell us will he allow - now it is a blessing in disguise that the House is still open in mid July - would the hon. gentleman tell the House, tell the members of the House if he will allow an emergency debate on the unemployment situation in this Province?

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: If the hon. gentleman is sincere then he will agree to allow, before this House closes, and apparently we are in the process of winding down, will he allow a major debate on unemployment, the number of people who are on welfare, people who are forced on unemployment insurance, people who have opted out of the employment market because they are so discouraged they will not apply for jobs -

MR. SPEAKER (Butt): Order, please!

MR. NEARY: - would the hon. gentleman allow a major debate in this House before we close on the unemployment situation in this Province?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I have said in the last ten or fifteen or twenty minutes, or however long it is, that we are in the process of creating jobs as fast as any jurisdiction in Canada, and given the kind of cyclical nature of our unemployment and our employment that is a pretty, pretty, good record. And we stand on that record,

PREMIER PECKFORD: Mr. Speaker. We have reduced our unemployment rate from seventeen per cent down to twelve per cent. And when it comes to small business and medium size business, when it comes to that we understand there is a problem there that has a lot to do with interest rates. But we are doing what we can, creating as many jobs as we can for Newfoundlanders. We are proud of the local preference policy which the member for Grand Bank (Mr. Thoms) does not like, which the Leader of the Opposition does not like offshore, and so, Mr. Speaker, on the one hand they are stopping Newfoundlanders from going to work and on the other hand they are asking the government to get more Newfoundlanders to work. Now how can you sustain a position like that when you have the Leader of the Opposition over here opposed to the local preference offshore and then talks about unemployment in this Province? How can he maintain his position when he takes that kind of attitude towards the people of this Province?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Butt): Order, please!

The time for Oral Questions has expired.

Mr. STIRLING: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order. The hon. Leader of the Opposition.

MR. STIRLING: The Premier just said that the Leader of the Opposition was trying to stop people from getting jobs in the offshore. That is a distortion, Mr. Speaker. We do not agree with having a waiting list of 7000 people with a false hope of getting a job where only 900 jobs exist. We are in favour of making and finding jobs and creating jobs where those 7000 can be working instead of being on a waiting list, Mr. Speaker.

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MR. SPEAKER (Butt):

Order, please!

PREMIER PECKFORD:

To the point of order.

MR. SPEAKER:

the Premier.

To the point of order. The hon.

PREMIER PECKFORD:

That is not a point of order. The
Leader of the Opposition is trying to side step the fact
that he is opposed to having Newfoundlanders work offshore.

That is not a point of order. The

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

of order. There is

Order, please! To that point

MR. SPEAKER (Butt): really no point of order, but a difference of opinion between two hon. gentlemen.

PRESENTING REPORTS OF STANDING AND SPECIAL COMMITTEES

MR. SPEAKER (Butt): The hon. Minister of Public Works and Services.

MR. YOUNG: Mr. Speaker, I wish to table a report of the tenders awarded other than the lowest bidder during the period January 1, 1980 to December 31, 1980 as required by Section 3 of The Public Tendering Act. There was a total of eight such tenders awarded and the explanations are attached.

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MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, before you call Orders of the Day, I wonder if by leave of the House if I could have a few seconds to congratulate the author of Under The White Ensign, Mr. Herb Wells, who just -

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: - produced this excellent book about all the naval volunteers who served in the Second World War. I had a chance to browse through the book over the weekend, Mr. Speaker, and I have to say that the book is very well laid out.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Every part of this book is done by a Newfoundlander except the hard cover and they could not do the hard cover in Newfoundland. The book is published by Robinson Blackmore, I believe it is their first effort at publishing a book of this magnitude. The cover, which is very beautifully designed, was done by an employee over at Memorial University, and the research was done and the book written by Mr. Wells, who did it without any government help, either provincial

MR. NEARY: or federal, no Canada Council grants. And I can tell the House that if they wish to get a copy of it that they will find it most interesting. I want to congratulate Mr. Wells for his magnificent effort. It is a beautiful piece of Newfoundland history preserved and I would hope that every hon. member of this House will get a copy, and I am sure the Minister of Education (Ms. Verge) will take note of the book, see that it is put in all of the libraries of the schools in this Province -

MR. HANCOCK: You are asking the right one now.

MR. NEARY: - placed in the libraries throughout Newfoundland and Labrador. It is a magnificent job and I am sure that the House would want you, Mr. Speaker, to extend our sincere congratulations to Mr. Herb Wells.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: This is only Volumn I, I might add. There will be another volume. But I hope the Government House Leader -

MR. HANCOCK: If we get enough people to buy it it will be a bestseller.

MR. NEARY: - and the Premier will agree with my motion that Your Honour extend congratulations to Mr. Wells. Another Newfoundland author is born; everybody is familiar with Mr. Wells. has

MR. NEARY: written a column about veterans in the Second World War in the Evening Telegram for years and now, Mr. Speaker, he has produced this very fine book about all the naval veterans who served in the Second World War and I am sure that the House would want to congratulate Mr. Wells on his fine effort.

SOME HON. MEMBERS: Hear, hear.

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: Mr. Speaker, we would like to associate ourselves with the motion made by the member for LaPoile (Mr. Neary). The member for LaPoile has had an advantage over us in that he has had an opportunity to peruse the book over the weekend. Those of us who have followed Mr. Wells' columns over the years look forward to securing a copy, I am sure, and I am sure that the book, as the hon. member indicates, meets the high quality that we are used to from Mr. Wells. And we would like to certainly associate ourselves with the motion and to say that many of us look forward to getting the book and look forward to it with interest.

MR. SPEAKER: You have heard the motion. Is it the pleasure of the House to adopt the motion?

All those in favour 'Aye'.

SOME HON. MEMBERS: 'Aye'

MR. SPEAKER: Contrary 'Nay'

Carried.

ORDERS OF THE DAY

MR. SPEAKER (Butt): Order, 31. Bill No. 74.

"An Act To Amend The Newfoundland And Labrador Hydro Act, 1975". The debate was adjourned by the hon. member for Eagle River (Mr. Hiscock), who is not in his seat right now. He had twenty-one minutes left.

The hon. the President of the Council.

If the hon. the President of the Council speaks now he closes the debate on the bill.

MR. NEARY: Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Before the hon. member closes the debate, what we object to in this bill, Mr. Speaker, we object to the principle of moving the power of the purse off the floor of the House of Assembly and putting it in the hands of the Cabinet and in the hands of Crown corporations.

As hon. members know, if we approve this bill what we will be doing is giving Newfoundland Hydro, a provincial Crown corporation, the right to borrow \$450 million without any reference to the House of Assembly. Now, Mr. Speaker, this is wrong and we are opposed to it. Mr. Speaker, I might add that this government, since they took over, have been gradually chipping away at the power of the Legislature, they have been moving all sorts of things off the floor of the House of Assembly. They moved the discussion of the estimates, on the main budget, they farmed that out in committees, they put the budget out in the dungeons and in the board rooms and in the corridors of all the public buildings in this Province - Confederation Building, the old Colonial Building - for the simple reason that during the passing of the estimates with the committee system they have introduced that that can practically get a free

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MR. NEARY: ride on their estimates. And they have given themselves the authority to borrow millions piled upon millions of dollars down on the eighth floor of this building in the Cabinet chamber without any reference at all to the Legislature. And as

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MR. NEARY: my hon. friend, the member from Great Britain, who was a member of Parliament at Westminster, which is the mother of Parliaments, the hon. gentleman knows - I am not quite sure whether he was a Labour member or a Progressive Conservative. I doubt if he was a Liberal because they are few and far between in England although they tell me they are bouncing back in England. And who knows, Mr. Speaker, in the foreseeable future they may become the official opposition and form the government of that great country. But, we are operating under the British parliamentary system in this Province and in this country and anybody, unless he is an ignoramus, a complete ignoramus, anybody and everybody, even a kindergarten student knows that if you remove the power of the purse from parliament, the power of the purse from a provincial legislature, then you are stripping that parliament or that legislature of its power. And that is what has been happening in this House of Assembly in the last seven or eight or ten years.

The Tories, since they took over, have been gradually moving things off the floor of the House of Assembly, moving it out into the Crown corporation, into the boardrooms of various public buildings around this city and as a result of that, we are not doing justice, the legislature, Mr. Speaker, is not doing its job, it cannot do its job. Government is whittling away at the power of the legislature. And I am sure that anybody who is sitting in the public Gallery and watches the Premier of this Province in action - and when he is not here all they have to do is to watch his colleague, the man who sits to his right, the hon. gentleman who sits to the Premier's right - watch him in action and the message that comes through loud and clear after these two hon. gentlemen, apart from the arrogance that they display, the message that comes through loud and clear is that the legislature is a bit of a nuisance to them, it is a bit of a pain in the neck.

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MR. NEARY: The legislature is just a bother to them. They would just as soon have it shut down and get rid of it because it is a nuisance. They do not want to be bothered about bringing things in on the floor of the legislature, especially money bills to get them approved by the elected representatives of the people. So that is wrong, Mr. Speaker, and that is why we are

MR. NEARY: voting against this bill which gives the Newfoundland Hydro Corporation the authority to borrow \$450 million. Yet the President of the Council (Mr. Marshall), who was just about to close this bill, who introduced the bill on behalf of the Minister of Mines and Energy (Mr. Barry), told us, when the bill was being introduced, that all they were asking for was an increase of \$50 million.

MR. MARSHALL: (Inaudible) no.

MR. NEARY: Yes, Mr. Speaker, the hon. gentleman misled the House. Now, probably he did not do it deliberately, Mr. Speaker, he might not have done it deliberately; because the hon. gentleman could have done it out of complete ignorance. It was not his bill, I understand that. The Minister of Mines and Energy was galavanting from one end of the country to the other, the Minister of Mines and Energy was not in his seat to introduce his bill, so he left it to his colleague, the President of the Council.

Now, the President of the Council is a man who likes to practice law. As a matter of fact, this is probably the only jurisdiction in the world where a minister, full-time minister, is allowed to serve in a cabinet, draw down full ministerial salary and practice law at the same time.

PREMIER PECKFORD: You know that is wrong.

MR. NEARY: I know that is what?

PREMIER PECKFORD: You know that is not right.

MR. NEARY: I, Mr. Speaker -

PREMIER PECKFORD: The hon. member does not draw down a full time cabinet salary.

MR. NEARY: He draws down whatever the salary is for a minister without portfolio - the hon. gentleman draws it down.

PREMIER PECKFORD: He does not draw down a full ministerial salary.

MR. NEARY: No, because there are two levels in Cabinet; there is a minister who is in charge of a department and there is a minister without portfolio.

PREMIER PECKFORD: Thank you very much, I honestly did not know.

MR. NEARY: Well, there is something else the hon. gentleman does not know and I am glad he reminded me of it, that everytime he stands to speak in this House he refers to the government as 'my government'. And I am sure that if experienced parliamentarians were sitting in this House they would have to say that a statement like that would have to emanate or originate from an ignoramus, from somebody who did not know any different, from somebody whom you could only consider a hick or a cowboy. It is not the hon. gentleman's government, it is Her Majesty's government. It is the hon. gentleman's administration. Day in and day out we get statements read by the hon. the Premier referring to it as 'my government'. 'My government', he says, 'My government'. Now, either the hon. gentleman - Mr. Speaker, perhaps you can offer me some guidance on this - the Lieutenant-Governor when he reads the Throne Speech on opening day, I

MR. NEARY:

believe it was 144 times - no, 142 times - in the last Speech from the Throne His Honour kept saying my government. Now is it His Honour's government, who is representing the Queen? Is he right in saying 'my government' or is the Premier right in saying 'my government'? Who is right, Mr. Speaker, and who is wrong? And yet day in and day out the Premier stands in this House and refers to it as 'my government', as he did today, by the way, when he was attempting to - or sidetracking the questions that were put to him by members of the Opposition. That is just a little aside there, Mr. Speaker. I realize that I was getting irrelevant but I could not help but bringing that up when the hon. gentleman interrupted me there.

Now, Mr. Speaker, we would not mind it so bad - well, we would mind it. We are against the principle of this, period. But when you look at Newfoundland Hydro, Newfoundland Hydro that is really the provincial senate, it is a haven for appointing Tory hacks, people who could not make it in the business world, appoint them to Newfoundland Hydro, give them jobs down with Hydro. It is Newfoundland's answer to the Canadian Senate.

MR. BARRY:

Oh, be fair now.

MR. NEARY:

I will be fair. What is the hon. gentleman saying? I will be fair.

MR. BARRY:

There are some very good people down there -

MR. NEARY:

There are some very good people down there, Mr. Speaker. I am not saying -

MR. BARRY:

- hard working, dedicated Newfoundlanders.

MR. NEARY:

Mr. Speaker, the hon. gentleman can try to drag in all the red herring he wants, but I am not saying that everybody down at Newfoundland Hydro is a political hack. They have some very good workers down there.

MR. BARRY:

It sounded like it.

MR. NEARY:

No, it did not sound like that at all. I said this government, Mr. Speaker, is using the Newfoundland Hydro to appoint has-beens, both in business and in politics.

MR. BARRY:

That is not true.

MR. NEARY:

Well, does the hon. gentleman want me to name them?

MR. TULK:

Go ahead.

MR. NEARY:

Well, then if I name them then I am going to have the Premier up on his feet saying, 'Well, the hon. gentleman just threw names on the floor of the House of people who are not members of the House who cannot defend themselves.'

MR. BARRY:

Right now you are smearing everybody. That way you would be only smearing one or two.

MR. NEARY:

Well, Mr. Speaker, in case I am not getting through to the hon. gentleman, in case the fuzz today has got his mind all muddled over there -

MR. BARRY:

Tried setting yours?

MR. NEARY:

No, I could not do that with mine because it is getting kind of thin on the topside, but I would like to have the name of the hon. gentleman's hairdresser.

Mr. Speaker, I make no apologies for the statement I just made but that does not mean that I am condemning all the workers of the Newfoundland Hydro. They have some very good workers, very good workers. But I am condemning the number, Mr. Speaker, who have been appointed to Newfoundland Hydro, to jobs at

MR. NEARY: Newfoundland Hydro who are in the higher income bracket, just the same, Mr. Speaker, as this government, not only in Hydro but in the public service, the Minister of Public Works (Mr. Young) has gained himself a reputation of putting nobody but his constituents in Summer relief jobs in Public Works. And that is a fact, Mr. Speaker. Nobody else can get a job, unless you are a friend or a relative or a constituent of the hon. gentleman, no Summer relief jobs in Public Works; just the same, Mr. Speaker, as the Minister of Education (Ms Verge) took the right away from one of her senior administrators who did all the hiring for Summer vacation, Summer relief in the Department of Education was done by a senior administrator up to this year, and then the Minister of Education took that away from a senior civil servant in her department and started filling the jobs up with sons and daughters of high mucky-mucks, of well-to-do people, of ministers and members.

MR. CALLAN: Cabinet ministers?

MR. NEARY: Sons and daughters of Cabinet ministers, Mr. Speaker. I guarantee you they will not be down drawing unemployment insurance next Winter or applying to the Minister of Welfare for social assistance.

MR. THOMS: And she discriminates against moles, too.

MR. NEARY: She discriminates against moles.

MR. THOMS: Oh, yes.

MR. NEARY: Well, I did not know that, that is something new I have learned today.

So, Mr. Speaker, they have become experts now at appointing their buddies and their relatives and their friends to government jobs. They have become experts at that. And that was something, as hon. members

MR. NEARY: will recall, that they used to condemn Mr. Smallwood for. They used to say, 'Oh, Mr. Smallwood did that,' but if they ever grabbed power in this Province they would not do that, Mr. Speaker. I would say they would make Mr. Smallwood look like Charlie's Angels when it comes to political appointments.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Smallwood was only a piker, only a baby compared to what this hon. crowd can do. And they do it in the most subtle way, Mr. Speaker. I have had numerous examples recently; people have come to my office and written me and called me on the 'phone about jobs that were advertised, one in the Fisheries Department, for instance, recently, where I am told that the successful applicant for the job did not get the job because the Minister of Fisheries (Mr. Morgan) called down to his field office and told the person in charge that he was to hire a former Tory candidate - and the hon. the member for Bellevue (Mr. Callan) probably knows what I am talking about - hire a former Tory candidate who ran in a recent by-election and who was defeated. Now, I do not know if they do that in Great Britain or not. I doubt if you would get away with that.

AN HON. MEMBER: The most recent one?

MR. NEARY: Yes, the most recent one.

In case hon. gentlemen, in case any of them are following me, in case they are playing the guessing game, it was the most recent by-election that was held in this Province. And unless all hon. members were asleep, I think they will know where that by-election was held. And the gentleman who ran for the government party, the Tory candidate who opposed my colleague here to my right, the member for Bellevue, the Tory candidate who ran, was shoved into a job, so we are told, by the Minister of Fisheries.

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MR. MORGAN:

Hear, hear!

MR. NEARY:

No application, no qualifications.

MR. NEARY: In case hon. gentlemen want their memories refreshed on how the Public Service works, Mr. Speaker, the Public Service advertise for jobs and the Public Service will screen the application, will interview the applicant, and then they will make three recommendations to the minister. Now, in this particular instance, a job in the fishery office, I believe it was in Clarendville, the Public Service Commission made three recommendations -

MR. MORGAN: They made none.

MR. NEARY: - they made three recommendations -

MR. MORGAN: They made none. (Inaudible) the Public Service Commission.

MR. NEARY: Mr. Speaker, they made three -

MR. MORGAN: Get your facts straight. There you go again. Dirty innuendo again.

MR. SPEAKER (Butt): Order, please!

MR. NEARY: Mr. Speaker, if the hon. gentleman wants me to, I would be glad to take my seat and invite the hon. gentleman to tell the House how the defeated Tory candidate got his job. I would be glad, I would be very happy to take my seat if the hon. gentleman will stand now in his place -

MR. MORGAN: You will lose your seat in the next election.

AN HON. MEMBER: Does that sound like old music to you, Neary?

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: I was going to sing a song, Mr. Speaker. "It seems to me I have heard that song before."

MR. MORGAN: Run away again in the next election.

MR. NEARY: They sent to LaPoile the heaviest timber they had. They sent the Premier's lackey out to LaPoile

MR. NEARY: to take me on in the last Provincial election. Now he has gone down to Clarendville to practice law with his tail between his legs. But he still has his finger in the pie, he still would not give up the milche cow. He still wants to have some income from the Provincial Treasury. He still wants the taxpayers of this Province to look after him while he is down practicing law in Clarendville.

But, Mr. Speaker, I challenge the hon. gentleman again, if the hon. gentleman who is saying that I am incorrect, that I have not done my research, that my facts are not correct, well if that hon. gentleman wants to set the record straight, I challenge him now to stand in his place in the House.

MR. MORGAN: It is a temporary appointment.

MR. NEARY: It is only a temporary appointment.

MR. MORGAN: It is contractual.

MR. NEARY: Oh, it is contractual. Oh, I see.

It is contractual, it is a temporary employment. Well, now-

MR. MORGAN: Why do you not get your facts straight?

MR. NEARY: - perhaps the hon. gentleman can tell us what Mr. Peddle - that is the gentleman's name is, is it not? Mr. Peddle? - what Mr. Peddle did to get a contract with the government, with the Department of Fisheries?

MR. MORGAN: It is a temporary job -

MR. NEARY: It is a temporary job. Well, I -

MR. MORGAN: -the same as eighty-five others.

MR. NEARY: Mr. Speaker, we have thirty, over 30,000 Newfoundlanders looking for employment. And all of a sudden, right out of a clear blue sky, Mr. Peddle, the defeated Tory candidate in Bellevue, in the recent by-election found himself a job on the payroll of the Minister of Fisheries (J. Morgan) and the minister tells us now it is contractual.

MR. MORGAN: A good Tory, we would be glad to have him any day of the week.

MR. NEARY: Mr. Speaker, why did the hon. gentleman not advertise for the job? Why were not thirty-odd thousand more Newfoundlanders given the opportunity to apply for that job? Why?

Mr. Speaker, would that be political patronage? Would that be political favouritism? What would they call that in Great Britain, I wonder? I know what they would call it: They would call it the lowest form of politics. They would call it the lowest form of hypocrisy.

MR. MORGAN: (Inaudible) you were part of it for years.

MR. NEARY: Just listen -

MR. MORGAN: (Inaudible) contracts.

MR. NEARY: The government, I was a part of did what?

MR. MORGAN: You and Smallwood.

MR. NEARY: Oh, Mr. Speaker, the hon. gentleman, I do not know whose instructions he was acting under,

MR. NEARY: has stooped to about the lowest level of politics that any minister could stoop to, in any jurisdiction, and that is to put a man out in the field, he gives up his job, goes out in the field, gets defeated in the election, and then, over all of the other qualified people in Newfoundland the Minister of Fisheries (Mr. Morgan) shoves him in over the head of all the people in this Province who are more entitled to that job than the hon. gentleman.

MR. MORGAN: Qualified as a good Tory.

MR. NEARY: What are his qualifications? The only qualification he has is that he paid the supreme sacrifice, the only qualification he has was that he is a defeated Tory.

MR. MORGAN: (Inaudible) have the member for LaPoile (Mr. Neary) - I will tell you that.

MR. NEARY: Mr. Speaker, the hon. gentleman will never get the opportunity to hire the hon. member for LaPoile I can tell him that right now.

MR. MORGAN: Oh, do not be too sure.

MR. NEARY: Mr. Speaker, I have seen members come and go -

MR. MORGAN: One of your colleagues is looking for a job right now.

MR. NEARY: I am now like the Sergeant-at-Arms who the other day observed his retirement after serving nineteen years in this House, into his nineteenth year now, the hon. gentleman, starting next March I will start my twentieth year in this House. If the hon. gentleman had stayed next March he would have started his twentieth year. And I have seen a lot of members come and go, and I have seen a lot of leaders and a lot of Premiers come and go, and I expect to be here a long time yet, Mr. Speaker, and I am afraid I will see a lot of Ministers of Fisheries come and go. They could not find anybody any heavier than they put against me in the last

MR. NEARY: provincial election when they sent down the Premier's flunkey, his hatchman, the biggest separatist in Canada, and who, as I -

MR. STIRLING: (Inaudible) would never run again.

MR. NEARY: No. Well, maybe the Fishery Minister (Mr. Morgan) would like to come down and have a go.

MR. MORGAN: I am thinking about it.

MR. NEARY: Yes, come down.

MR. STIRLING: He has to get out of Bonavista.

MR. NEARY: He has to get out of Bonavista.

MR. MORGAN: Then you should come over there.

MR. NEARY: I was in Bonavista there about a month ago, five weeks ago, the Leader of the Opposition and myself we were down to a public meeting in Bonavista, the hon. gentleman was invited, the Minister of Municipal Affairs (Mrs. Newhook) was invited both of them were afraid, they did not have the courage to attend that public meeting, 600 or 700 people in the hall, another 500 or 600 people outside of the hall, we got a rousing welcome, they flew the flag for us down there, the bunting was up, the guns were fired off to give us a welcome, the bands were playing and the hon. gentlemen did not have the courage to come to the meeting.

MR. MORGAN: (Inaudible) ceremonies.

MR. NEARY: And when they are finished, when the plant workers are finished down there and when the fishermen are finished fishing this year when they can get back at the hon. gentleman about forcing the property tax on them down in Bonavista, the hon. gentleman will be looking around for a district.

MR. MORGAN: Enough of that now.

MR. NEARY: And I will be glad to welcome the hon. gentleman in LaPoile.

MR. NEARY: Now, Mr. Speaker, after disposing of the hon. gentleman and showing him for what he is, and nothing only an expert on political appointments -

MR. STIRLING: Admitting it, too.

MR. NEARY: Yes, then admitting it, too. Just imagine how arrogant this crowd have gotten.

MR. MORGAN: Must you say no to a Tory who is qualified?

MR. NEARY: Mr. Speaker -

MR. MORGAN: Come on boy, stop being so foolish.

MR. NEARY: Was the job advertised? Was it advertised? How many applications did the hon. gentleman have?

MR. MORGAN: You want to hear me say no to Tories who are qualified? Do not be so naive, boy. Go back and learn about politics.

MR. NEARY: Mr. Speaker, the hon. gentleman is in deep trouble. The hon. gentleman is in deep trouble on this one, Mr. Speaker, deep trouble. But I was going to point out to the House, Mr. Speaker, down here at Newfoundland Hydro, which is the bill we are talking about, giving Hydro the right to borrow \$450 million without any reference to the Legislature - \$200 million last year and \$250 million again this year - down at Newfoundland Hydro hon. gentleman might be interested in a few statistics that I compiled over the weekend on the number of employees -

AN HON. MEMBER: Has he lost his (inaudible)?

MR. NEARY: Oh, the hon. gentleman is smarting under that one. The hon. gentleman now is smarting under his -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Look, Mr. Speaker, if the hon. gentleman has something to say, let him stand up and say it. If he wants to try to justify Mr. Peddle's appointment, if he wants to try to justify that political appointment, let him get up and say so. I would gladly take my seat. But if the hon. gentleman does not intend to participate in this debate, then I would suggest, Mr. Speaker, the hon. gentleman be seen and not heard. The hon. gentleman is just a source of embarrassment to his party and to the government.

Mr. Speaker, a few statistics I came up with over the weekend that members should be interested in while we are discussing this bill, the number of employees who are receiving over \$25,000. I do not know how much that would be in pounds. That would probably be about 8,400 pounds roughly. How many ordinary workers in Great Britain are earning 8400 pounds or 8500

MR. NEARY:

\$81,000 than they are to \$60,000, a total of 81 employees of Newfoundland Hydro receiving more than \$25,000 - two of whom are close to \$80,000, four closer to \$60,000, nine close to \$40,000. That does not include Churchill Falls Corporation, Rural Electrification Authority, just Newfoundland Hydro - 561 employees.

Now, Mr. Speaker, I think that is disgraceful and between that and the political appointments that they have made down there where they haul people in out of the cold, made jobs for them, I would think the whole Newfoundland Hydro situation is in one incredible mess. So is it any wonder, Mr. Speaker, that we are voting against this bill? We are voting against the principle of removing any further authority from this House, we are voting against the principle of putting the authority in the hands of a Crown corporation to borrow \$450 million without accounting to this House. We are against that just the same as we are against giving the authority to the Cabinet to borrow literally millions piled up on millions of dollars without any reference to this House.

As I said in the beginning, Mr. Speaker, once you remove the power of the purse from the House of Assembly, then the House becomes useless and cannot do its job. And so therefore, Mr. Speaker, for these reasons and a number of other reasons that I do not have time to give right now, I will be voting against this bill.

MR. SPEAKER (Butt): The hon. the President of the Council. If the hon. the President of the Council speaks now he closes the debate on second reading.

MR. MARSHALL: Well, Mr. Speaker, I note that our visitors from Britain left. The hon. gentleman finally weaned them out. The fact of the matter, after listening

MR. MARSHALL: to the hon. gentleman they can carry a message back to Whitehall that in so far as the attempt - the speech of the hon. gentleman indicates that in so far as the attempt was made for the Mothers' of Parliaments to establish in other places a form of intelligent and informed debate, it certainly this afternoon has failed with respect to this bill.

The hon. gentleman, Mr. Speaker, spoke for half an hour and said virtually nothing about this bill, virtually nothing about the \$250 million and the reason for borrowing it. He chose to talk about alleged political appointments, the Public Service Commission, alleged lackeys and various other attacks on various people but very, very little if anything, Mr. Speaker, about the purpose of this bill. He talked about in his address moving the power to borrow from the Legislature. Mr. Speaker, the whole purpose of this bill is to bring before the House of Assembly, the elected House of this Province, the fact that \$250 million is required by Newfoundland and Labrador Hydro and they cannot borrow it, Mr. Speaker,

MR. MARSHALL:

until such time as this House grants its approval. So that is bringing into the House, into the House of Assembly, into the Legislative Assembly, the power over the purse. What is this bill? This bill, Mr. Speaker, is a bill to authorize the borrowing of \$250 million by Newfoundland and Labrador Hydro for the ensuing year for certain purposes. When I introduced this bill I gave a brief resume of the purpose of it and I said that I would respond to questions that had been asked on closing the bill. Unfortunately, Mr. Speaker, just as an experiment as I watched there was hardly a single reference to the reason for the bill itself and the reason for the expenditure of the \$250 million. And that has been there, Mr. Speaker, the purpose of it, the purpose of the \$250 million is for the purpose of the Cat Arm project, the beginning of the Cat Arm project, that project which will employ, by the way - and if the hon. gentleman are going to vote against this they are going to vote against the jobs - that and the completion of the Upper Salmon, upwards of 1000 jobs over a period of time. So that is what the hon. gentleman are opposing. They never asked this question. There was not one question asked during the whole of the debate, Mr. Speaker, as to what was the result of the borrowing and what the borrowing was going to achieve. And I say to this House that they are going to be about 1000 jobs and certainly that in itself has to be extremely significant and make the bill very, very worthy of consideration by this House and positive consideration it is. The breakdown, you know, I have given the breakdown. It is approximately \$115 million to complete the Upper Salmon and another \$50 million for the Cat Arm project and other monies for the purpose of transmission lines.

Now, Mr. Speaker, that question significantly was not asked, it was not asked by any

MR. MARSHALL: of the hon. gentlemen there opposite, but I give this information now to the House and give it as an example of the way in which the Opposition is really conducting the business of the people. What is the point of bringing these measures before the House if they are not going to be debated, Mr. Speaker? It would be almost better to have them done really in the Cabinet room or in the board room or what have you, for the sake of any intelligent debate that you get into this House with respect to the borrowing of \$250 million. The hon. the Leader of the Opposition all day Friday seemed to thrive on the fact the he said that the government had lost control of hydro because he allegedly said-or he was under the mistaken impression that when I introduced the bill I was thinking it was for borrowing of \$50 million and not \$200 million. Because he made reference to that, Mr. Speaker, I want to make reference to the records of Hansard on Thursday of last week. And just before I do that, may I say that this debate came on on Thursday of last week at about four twenty-five before the beginning of the time slated for the Late Show. I gave a

MR. MARSHALL: very brief introduction, but at the time, anyone who consults Hansard will see that it was quite evident that the purpose of the bill was for borrowing for expenditures of money way in excess of fifty millions of dollars, in the vicinity of between \$225 million and \$300 million, Mr. Speaker. Then, when the hon. gentleman was speaking - he only spoke for about two minutes - this is the thing that the hon. the Leader of the Opposition said, and I refer to page 8549:

"In introducing the legislation the President of the Council (Mr. Marshall) said increasing it up to \$250 million, and I think he was correct". Well, you do not have to think too much, Mr. Speaker. All you have to do is read the legislation, read the plain words before you. Anyway, as he said, "I think he was correct, and maybe he can confirm for us now that it is not the intention to increase it to a further \$250 million, it is to increase it up to \$250 million from \$200 million. I presume that is correct. I ask the President of the Council to indicate." Now, that is the end quote of the Leader of the Opposition. I replied, "No, it is to give" - and it is here in Hansard, Mr. Speaker - "No, it is to give \$250 million borrowing to Newfoundland and Labrador Hydro." "Mr. Stirling: In addition to what -

PREMIER PECKFORD: He has gone.

MR. MARSHALL: Listen to this: "In addition to what they now have?" "Yes," - in other words, 'Yes, in addition to what they now have, \$250 million.'

Then we went on - and I could not understand the import, it was very close to the end of the debate, when we ended the debate and we went into the presentation for the distinguished retiring Sergeant-at-Arms, then we went on and he said: "That is what the present act says. The new act, as I" - well, I will just

MR. MARSHALL:

read it all - "Yes."

Mr. Stirling: Mr. Speaker, what they now have is 'The aggregate of all loans to the corporation to be guaranteed after the coming into force of this section by or on behalf of Her Majesty shall not exceed \$200 million'. Actually, it says \$250 million. "That is what the present act" he was referring to "says. The new act, as I understand it says, 'The aggregate of monies to be raised by way of loan shall not exceed \$250 million'. Now, does that mean that we are splitting that out and saying -" and somebody said, "How much?" Mr. Stirling said, "\$250 million, in total." And I said, "From \$200 million." Now, that is what is in the Hansard, Mr. Speaker, and that is what is there. And we ended at the time and then when we got into this, I wondered afterwards whether or not the hon. gentleman might have had a mistaken impression, because we had gone from \$200 million in the former bill to \$250 million. So I mentioned to him down at the reception to the effect that I would not want him to be misled, that I would hope that I did not mislead him in the House, that the fact of the matter is it was \$250 million and not \$50 million. And what does he do? He seizes on the opportunity to try to say by that that the government have lost control of Hydro and spent all day Friday talking about it, when the fact of the matter is, once again, the misinterpretation was a misinterpretation placed on it by the Leader of the Opposition, not by myself, and he shows just how small the observations of the Opposition are. He then leaves the \$250 million, rubs his hands in great glee because he assumes that a mistake has been made, and then spends all Friday morning talking about how we had lost control of Hydro. What we have lost control of, Mr. Speaker, and what we have no ambition or no possibility of

MR. MARSHALL: controlling is the ability of the hon. the Leader of the Opposition to understand, that is what we have lost control over, not Hydro. Now, that was the nature of the hon. gentleman's debate and, as I say, he exulted in it, it was absolutely marvellous. He thought somebody had made a mistake, but in fact, we knew, Mr. Speaker, we all knew, and the bill was plainly there, that this is to borrow \$250 million. Now, the borrowing of \$250 million by the government or by any Crown corporation is a matter of extreme seriousness and it is

MR. MARSHALL: a matter of great concern. And the member for St. Barbe (T.Bennett) when he spoke, he mentioned this and he mentioned the borrowing and the high degree of borrowing. And there is no government, Mr. Speaker, that has ever occupied the ministerial benches in this Assembly that is more concerned with the degree of borrowing, but we are not the author of it. As a matter of fact, this administration has shown its responsibility throughout in these matters. As the Premier has indicated, while we have a surplus on current account, our sister provinces in the two major Maritime provinces, New Brunswick and Nova Scotia have great deficits. Now, that is the type of management which we have and last year, Mr. Speaker, as far as management, why we had predicted in the budget before this that we would have a \$12 million surplus, we ended up with a \$25 million contribution to capital accounts, that is performance, Mr. Speaker, that is a good steady government, and that is the reason why jobs are being created in this Province despite the attempts of the hon. gentlemen there opposite to derogate from it.

So, Mr. Speaker, the only other observations that I want to make on this is that it is a pity, and I say again it is a very real pity that this is \$250 million that is being borrowed by Newfoundland Hydro. We are giving them the authorization. They will not get the authorization unless this House votes it, so the power is in this House. It is a pity, it is a grave pity that for three days we have debated this and hardly any questions, if any, have been asked with respect to the reason for it. I tell this House that the reason for it is to continue on with the completion of the Upper Salmon and to get on with the Cat Arm project. And for us this is a very legitimate reason to borrow, because what you are doing, you are borrowing for the purpose of providing services for the future in anticipation

MR. MARSHALL: of the development which has occurred in this Province and is projected to occur in the future. And it will be paid for in the future from the wages which are earned at that particular time. It is the type of borrowing that this government enters into, if it possibly can, rather than the type of mad borrowings that were done in the past purely and simply for the purpose of attempting to return certain people to their seats in government.

So it is a legitimate one. It is one that we do not undertake without - that we undertake with a great deal of concern. We have control of Hydro. We have control of the destiny of this Province, Mr. Speaker, and I think that events show it. But, it is, as I say, a lot of money to borrow. It is being borrowed only after a very careful scrutiny and examination of the officials of Hydro. It is being borrowed only after we have seen that it is going to provide the optimum of jobs for the people of this Province - it is going to provide some 1,000 jobs - and it is borrowed, Mr. Speaker, in the sure confidence of the future of this Province, a confidence which is being exhibited in every stage of our society and this is another monumental step forward by this government in the provision of enough money to develop the Province and develop it adequately.

Mr. Speaker, just for the record, I want to put down, just in case anybody has nothing to do in the dim, dark future and looks over Hansards - although I do not see why they ever would -

MR. MARSHALL: I would certainly like to point out that there has been - and I challenge anyone to look at the debate that has occurred in this and I say it is a shame and they should apologize to the people of Newfoundland. Here is \$250 million, Mr. Speaker, brought before this House, we are trying to re-establish democracy and responsible government in this Province and it is a crying shame that there have not been more questions asked. We have endeavoured to do it, to answer the questions, to give the information. I would suggest that the Opposition might take stock of itself when we reconvene, if we ever, ever adjourn and see if they can come up with more intelligent and direct debates than they have shown in this particular bill. I move second reading.

On motion, a bill, "An Act To Amend The Newfoundland And Labrador Hydro Act, 1975", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 74)

Motion, second reading of a bill, "An Act To Amend The Labrador Lands (Reservation) Act". (Bill No. 63)

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

MR. MARSHALL: Mr. Speaker, in the absence of the Minister of Mines and Energy (Mr. Barry), this is a bill that I do not think will require or should not require a great deal of debate although I would be quite happy to answer any questions that arise from it. It is really an act to assure that there is reserved to the Crown all mines, minerals and quarries under the land in Labrador. And it updates the references from the previous act, from the Crown Lands Mines and Quarries Act to the Quarries Minerals Act and the Mineral Act itself. As I say, I do not anticipate that this is a bill that requires

MR. MARSHALL: a great deal of debate but certainly it is a necessary one and one which we have to bring in.

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

MR. STIRLING: In response to the schizophrenic President of the Council (Mr. Marshall), on one hand he asked us to take his word that it does not require very much debate, and he has just gone through a half hour tirade trying to apologize for the fact that there was a definite misunderstanding based on the information that certainly he thought he had given last Thursday night. Mr. Speaker, I accept the President's word. He gets embarrassed from time to time when we accept his word and then find after doing some checking that it was not justified.

Mr. Speaker, I do accept his word and I trust that he has the interests of the people of the Province at heart. I do accept him at his word and if we find later on that we cannot, then we will take it up in another matter, another debate and we will find another way to get the message across to him. But I suppose he has now passed getting that out of his system and we will get on with the bill. I take him at his word, this is a routine bill and does not require very much comment.

On motion, a bill, "An Act To Amend The Labrador Lands (Reservation) Act", read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 63).

MR. MARSHALL: Order 33, Bill No. 75.
Motion, second reading of a bill, "An Act To Amend The Judicature Act". (Bill No. 75).

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

MR. OTTENHEIMER: Thank you, Mr. Speaker.
What this Act will do is permit the enlargement of the Supreme Court, both the Trial Division and the Appeal Division, by one additional judge each.

It is necessary for the Province to enact the legislation, then, of course, the appointment has to be made by the federal government. It is a federal appointment requiring, obviously, an amendment to our own Adjudicature Act. So the effect of it will be we now have a five-person, five-man Trial Division, Chief Justice Hickman, Mr. Justice Noel, Mr. Justice Mahoney, Mr. Justice Goodrodge, Mr. Justice Fagan, the latter being a Family Court judge, but a member of the Trial Division of the Supreme Court. Obviously a lot of the matters he hears would, in fact, be heard before the Supreme Court if his appointment were not there, so it would permit the appointment of one additional trial judge.

In the Court of Appeal, presently a three-man court, Chief Justice Mifflin, Mr. Justice Morgan, Mr. Justice Gushue, it would permit an additional appointment there.

MR. THOMS: Mr. Speaker.

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

MR. THOMS:

Thank you, Mr. Speaker.

We on this side, of course, will be supporting this particular bill. What it does is, as the minister explained, provide for the appointment of an additional judge for the Trial Division of the Supreme Court and one for the Appeal Division of the Supreme Court. Whether or not the additional judge of the Appeal Division is necessary I would not care to say, but we do need not one additional Trial Division judge in this Province, but we need at least two, two new judges for the Supreme Court.

For those of us who practice before the Supreme Court in this Province, we know that there are many, many cases that cannot be heard in the Supreme Court because of a lack of judges, a lack of facilities and so on, and the length of time that one has to wait before a judgement is brought down. There is an old saying in law that 'justice delayed is justice denied', and justice is certainly being delayed in the Trial Division of the Supreme Court in this Province.

I have been before the Supreme Court very recently trying to get a number of cases set down for trial and in the last bank hearings of the Supreme Court we were advised that at that point in time, which was a month or two ago, you could not even get a day to have a hearing. And the notices of motion for a day for the hearing have all been postponed until the first week in October

MR. THOMS: because the Fall calendar is completely booked at the present time, which means that those people who want their cases heard as soon as possible are now put over into 1982. The earliest time you can get a trial set in this Province today is 1982 and it is no good to even apply for a day for a hearing until October this Fall. So there is no question but we need additional judges, particularly in the Trial Division. And I believe we need more than one, I think we need at least two judges because although we have increased the judges to six in the Trial Division of the Supreme Court, we must remember that one of those judges is the Judge of the Unified Family Court, who is also a member of the Trial Division but all he does is deal with family matters and some divorce cases. If a divorce petition is brought within the precincts of St. John's, within the St. John's area, then it is heard before the Unified Family Court, but a petition for divorce brought outside the city of St. John's is heard before the Trial Division of the Supreme Court.

Mr. Speaker, while I am speaking on the amendment to the Judicature Act, I would also urge the Minister of Justice (Mr. Ottenheimer) to have the Judicature Act looked at from a point of view of a complete revision of that particular act, which is the act that sets down the rules that govern the Supreme Court in this Province. Because apart from some obvious admissions in the Judicature Act, in keeping with the way lawyers think - and here I am being critical of myself - but in keeping with the way we think, you find that our Judicature Act is difficult even for a lawyer to read and to understand. And I think it is time that we started making documents, making acts and so on in language that is easily understood.

I came across, Mr. Speaker, for the first time in sixteen years of practicing law in this Province,

MR. THOMS: something that was not covered by the Judicature Act at all and that, I believe, is Section 131 that deals with the proving of wills. And I am trying to probate a will, and in this particular case it is a will dated back in 1937 where both witnesses to the will are dead and so is the testator. Mr. Speaker, it is a simple matter to prove a will in a situation where you have the two witnesses and the testator, all of whom have died, where the will has actually a written signature by the testator

MR. THOMS:

because then you can get a bank manager or somebody who knew the people and who can swear that it is their signature. But in this particular case, the testator used his mark, and in other words, he signed with an X, and we have to figure out now how to prove an X. I mean, how do you prove an X? And there is no provision under the Judicature Act for dealing with situations like that, and as the Minister of Justice (G. Ottenheimer) well knows, a good many of our wills in this Province were made by the testator making his mark rather than using his actual signature.

And there are a number of other matter that should be dealt with in a complete revision of the rules of the Supreme Court, that can simplify - there are an awful lot of rules that can be changed, created that will simplify the procedure before the Supreme Court of Newfoundland. And hopefully with these rules being simplified, it is also going to mean that people can avail of the services of a lawyer for less expensive than is presently the case. So I would like to see a complete revision of the Judicature Act in this Province. I think it is overdue.

I would like to see the rules of court so that they can be easily understood. Most lawyers believe that if you make things easily readable and easily understood it is going to affect their incomes, but I am not a bit afraid of that. I am still quite convinced that if the rules of the Supreme Court were made simpler that I would still have enough work to keep me going in the Supreme Court if I could ever get a case set down and heard, and that is one of our big problems today in this Province.

And like I say, Mr. Speaker, that if justice is delayed then there is no truer axiom, or whatever it is called, than that justice is denied. And people have to wait far too long for a decision of the Supreme Court and it

MR. THOMS: is not, Mr. Speaker, the judges' fault. There is no question that they are grossly overworked in this Province, and there is an increase, there is a dramatic increase in court cases. I think the criminal trials, for example, increased very very sharply over this last twelve months or so. And there are more people going to court to contest civil matters and there are more criminal cases being heard in the Supreme Court, and the four judges we have now just cannot cope and just cannot give the service to the people that they should have. So I am glad to see that we are going to make a provision particularly for another judge of the Supreme Court.

I believe, Mr. Speaker, that a part of the problem may be solved with the merger of the District and the Supreme Courts of this Province. And I understand that legislation is to be introduced in this House in the Fall to provide for the merger of the District and Supreme Courts and this then of course would elevate the District Court to that of a Supreme Court and I assume at that time, of course, that our circuit courts

MR. THOMS: will not be necessary. But even then we are still going to need, I believe, more judges in the city of St. John's where the bulk of the litigation is heard in this Province, there is no doubt about that, although the courts now are just about, you know, forcing, directing lawyers to have matters heard on circuit. But then, Mr. Speaker, again the circuit meets about four or five times a year, and where the people of St. John's have direct access to the Supreme Court, well, twelve months out of the year really except for trials that are to be heard and they are not heard in the Summer, the people of Labrador, the people on the Burin Peninsula, the people in Corner Brook do not have the same access to the Supreme Court of this Province as the people of St. John's do. And this of course will be cured to some extent by the merger of the district and the Supreme Courts.

So I hope the minister will take what I have said into account and maybe we can come up with a Judicature Act that will provide some of the things that are missing, you know, preliminary hearings - not preliminary hearings; in civil matters - what is the term? I just forget the term that is used for it now, but it is where -

AN HON. MEMBER: Discovery.

MR. THOMS: Discovery. Discovery, for example, is not in our rules although I believe in every other province of Canada they have the procedure called discovery which is a great assistance before a trial.

There is much more that could be said about the Judicature Act. As I said, Mr. Speaker, I hope we can get a revision and I hope it does not wait too long before it is started.

MR. SPEAKER (Baird): If the hon. minister speaks now he closes the debate.

The hon. Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, a few brief comments on the participation of the hon. member for Grand Bank (Mr. Thoms). With respect to the Court of Appeal, of course, as the hon. member would know there is now a bench of three and there must be three to hear a case, so there is something of an anomaly there, because if one, say, is ill, or if one must disqualify himself in the case of one of the justices, of course, who served on the Trial Division before, and the others could have represented a party involved, so if one has to be disqualified or otherwise unable to participate then there has to be a secondment the Supreme Court Trial Division and that is not always easy either. So this will certainly give us the flexibility which is necessary there, I think having the bare minimum leaves absolutely no flexibility whatsoever.

With respect to the Trial Division, the hon. gentleman is right; we do plan to introduce legislation on merger in the Fall session and have it proclaimed July 1, 1982, next July, and this would add, okay, five now, and let us say an additional one is appointed, six, this would add - we have one Chief Justice of the District Court, Chief Judge, seven District Court judges, and we are awaiting the appointment of an additional one for the judicial district of Labrador to be located in Happy Valley/Goose Bay. And as a matter of fact, I wrote the Federal Minister of Justice (Mr. Chretien) on a couple of occasions on that "

MR. OTTENHEIMER: and got a letter back in about a month's time and he has now indicated that he will plan to have an appointment fairly soon - I do not think that a date was any more specific - so then we will be adding to the six, nine. So actually we will have fifteen Trial Division, Supreme Court judges, located in St. John's and in all the other major areas of the Province which will give this direct accessibility.

The hon. gentleman was saying about circuits. There would still be a certain number of circuits. There would still be some circuits and there would be some movement. And because I do not think it is probably wise that, you know, in a certain area one person and one person only hear absolutely everything, every time, year in, year out, you know, for the period of his appointment, so there would be some movement of judges, perhaps one going here for a month and changing with someone else, and there would be occasional circuits.

The only other matter and that is with respect to the Adjudicature Act, actually a whole new Adjudicature Act with new procedures, simplified, updated, consolidated has been drafted. What we have decided to do is to introduce that with the Adjudicature Act which will in fact establish merger so that we do not have two rather far-reaching changes at two different intervals, but to bring in the changes, the procedural changes in the Adjudicature Act along with the legislation which will establish merger and that is scheduled for this Fall. I move second reading.

On motion, a bill, "An Act To Amend The Judicature Act", read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 75).

Motion, second reading
of a bill, "An Act To Amend The Fishing Ships (Bounties)
Act". (Bill No. 83).

MR. SPEAKER (BAIRD): The hon. Minister of
Fisheries.

MR. MORGAN: Mr. Speaker, just a brief
comment to explain that this is a change to the Fishing
Ships(Bounties) Act and will reduce the period which is
required for a fisherman to receive bounty, which is now
eight years, we are reducing it down to five years instead
of the existing eight year period. In other words, a
fisherman will be entitled to receive a second bounty
after a five year period whereas now he has to wait for
eight years.

On motion, a bill, "An
Act To Amend The Fishing Ships (Bounties) Act", read a
second time, ordered to a Committee of the Whole House
presently by leave. (Bill No. 83).

Motion, second reading
of a bill, "An Act To Amend The Members Of the House Of
Assembly (Retiring Allowances) Act". (Bill No. 84)

MR. SPEAKER: The hon. Minister of
Finance.

DR. COLLINS: Mr. Speaker, a very brief
word on that. The first clause will remove the prohibition
against former members in receipt of pension under this
act no matter how small that pension is, it will remove
that inhibition from them making themselves available for further
service in the public service without loss of pension.

Clause (2) to (4) corrects
an anomaly in the present act whereby service that is other
than as an MHA can cause a pension to exceed 75 per cent
of pensionable salary. And I might add, Mr. Speaker, that

DR. COLLINS: I will in Committee bring in an amendment to Clause 4 altering the effective date to a later effective date.

MR. SPEAKER (Baird): Is it the pleasure of the House that the said bill be now read a second time?

MR. NEARY: Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I just want to ask the hon. gentleman a question. I do not have the act here in front of me but it seems to me in the end of it there, Sections 2 and 3 apply only to those persons who are elected to the House of Assembly for the first time on or after the 18th day of June 1979.

DR. COLLINS: That is going to be changed.

MR. NEARY: That is going to be changed. Okay.

On motion, a bill, "An Act To Amend The Members Of The House Of Assembly (Retiring Allowances) Act," read a second time, ordered referred to a Committee of the Whole House presently by leave.
(Bill No. 84)

MR. MARSHALL: Order 36 Bill No. 76.

Motion, second reading of a bill,
"An Act Respecting An Increase Of Certain Pensions."
(Bill No. 76).

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

DR. COLLINS: Mr. Speaker, this bill implements what was stated in the Budget. In other words, pensioners in the general service now will get a general increase of eight per cent, but for those pensioners presently on quite small pensions from the period 1962 to 1971, they will get additional amounts and this continues a process that was carried out in the Budget before last. In other words, to bring these pensioners from many years ago up to some reasonable level. There are also provisions in the Act

DR. COLLINS: whereby there are certain floors below which the increase in pension will not go and below which the total pension will not go.

I move second reading.

MR. STIRLING: Mr. Speaker.

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

MR. STIRLING: Mr. Speaker, this is to improve pensions for people who have retired and have not had a cost of living clause in their pension. There is another group I would ask the minister to take a look at. I have received correspondence on it, and the Premier has and I believe the minister has, and it goes back to people who - and we may even be dealing with it in another pension section - but it is people who worked for the Newfoundland Railway prior to Confederation and it is a group of people who should be looked at. And if we could have some assurance from - Is that coming later?

DR. COLLINS: Yes.

MR. STIRLING: Right. Okay.

On motion, a bill, "An Act Respecting An Increase Of Certain Pensions," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 76)

Motion, second reading of a bill, "An Act To Amend The Education (Teachers' Pensions) Act". (Bill No. 87)

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

MR. MARSHALL: Mr. Speaker, in the absence of the Minister of Education (Ms Verge) I would like to move second reading of this bill. The explanatory notes generally describe the first few matters, which are not of any great import. The major purpose of this bill is that when certain improvements were made in teachers' pensions on December 17, 1980, it was found that these improvements by the way

MR. MARSHALL: the act was drafted did not apply to a certain number of teachers, a very small number, older teachers who had been receiving pensions under the Education Act, 1927. This is the purpose of this amendment, to ensure that they are brought under it as well.

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

MR. STIRLING: Mr. Speaker, I presume that in dealing with this amendment there has been consultation with the NTA and it is being done at their request and with their agreement.

MR. MARSHALL: I believe so. I would have to, in Committee when the Minister of Education (Ms. Verge) comes back - I am pretty sure it has but we will furnish that.

MR. STIRLING: With that assurance, Mr. Speaker, we can move second reading.

On motion, a bill, "An Act To Amend The Education (Teachers' Pensions) Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 87).

MR. MARSHALL: Order 38, Bill No. 77.
Motion, second reading of a bill, "An Act Respecting An Increase Of Certain Pensions For Transferred Employees". (Bill No. 77).

MR. SPEAKER: The hon. the Minister of Finance.

DR. COLLINS: Mr. Speaker, this covers the individuals that the hon. the Leader of the Opposition (Mr. Stirling) referred to. In other words, it was individuals who were the responsibility of the Government of Newfoundland. They subsequently transferred their service to the federal scene but they left their pension rights up to that date with the Newfoundland Government

DR. COLLINS: so that we still retain responsibility for them. These proposals start to bring their pension rights for that period of time in line with the increase that has been given the general service over the years.

Considering the time period we are referring to and the salary rates applicable to that time, their salaries now are very small. These increases may seem small but in actual fact the average increase for the pensioner amounts to about a 35 per cent increase. This will go perhaps not the total way of bringing them up to a comparable level with present civil service employees for a comparative length of time, but it goes very, very substantially towards it. Perhaps once this is under our belts, and we can see where there are further adjustments needed, we can bring that in at a subsequent date.

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

MR. STIRLING: Thank you, Mr. Speaker.

I am sure every member of this House feels an obligation to those employees who were employees of the - I guess it was employees of the Commission of Government and railway and of various other groups. I do feel that we really have an obligation to bring them up to par. There would not be very many of them involved, under a couple of hundred people, and they are loyal and dedicated people and they worked at very low salaries during their period. I would hope that the minister will give very serious consideration to bringing them up to standard. If it cannot be done this year, then we should try to bring them up to a standard, maybe in a series of moves over the next year or two, so that they at least getting the same standard as people who retired

On motion, a bill, "An Act Respecting An Increase Of Certain Pensions For Transferred Employees," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No.77).

Motion, second reading of a bill, "An Act To Amend The Public Service (Pensions) Act." (Bill No.67)

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

DR. COLLINS: Mr. Speaker, under the act, as it presently stands, only those individuals in institutions outside the Public Service itself whereby the institution is owned and controlled by government can be brought under the Public Service Pension Act. This will allow us to extend the pension plan to those in non-profit homes for special care which may be run by institutions that are not actually owned or controlled by government but in actual fact they are almost totally funded by government, St. Luke's and that sort of thing.

As a matter of fact in the - let me see if I have a list of them there. Yes, there is the Agnes Pratt Home, the Carmelite Home, Inter-faith Committees, Conception/Trinity Inter-faith Senior Citizens Foundation, Blue Crescent Inter-faith Home in Grand Bank, Lakeside Homes and so on. And the employees in these homes are similar to the people already doing similar work in the Public Service.

I move second reading.

MR. NEARY: Mr. Speaker.

MR. SPEAKER (Butt): The hon. the member for LaPoile.

MR. NEARY: Mr. Speaker, I only want to ask the hon. gentleman just one simple question. Could the hon. gentleman tell us how many former employees are now receiving full salary in lieu of pension? Could the hon. gentleman give us some indication? I understand, for instance, there was a Deputy Minister of Public Works who retired on full salary and his full

DR. COLLINS: salary would be paid until such time as he reached pensionable age. And I believe the last Chief of Police, I am not sure if he is still on salary or on pension. Could the hon. gentleman tell us how many former employees are receiving full salary until they reach pensionable age and then they receive a pension?

MR. SPEAKER (Butt): The hon. the Minister of Finance. If the hon. minister speaks now, he closes debate on the second reading.

DR. COLLINS: Mr. Speaker, if such individuals are receiving full salary, presumably they are still receiving it through their departments, That would not be something that is in my particular area of responsibility. I just do not have that information, but I certainly will endeavour to get it for the hon. member. But they would be receiving it through their department rather than through the pension scheme.

MR. STIRLING: Mr. Speaker, could the minister answer a question as part of concluding second reading. It mentions here the bill will come in force the first day of April, 1979.

MR. SPEAKER: The hon. Leader of the Opposition.

MR. STIRLING: In actual fact, then, do we have some of these people that now think that they are covered under the pension plan and, in fact, have we been collecting pension premiums for them and is it needed to back-date this now to make it legitimate, that we have been doing something that we did

MR. STIRLING: not have the authority to do up until now? Do we have any information on that?

DR. COLLINS: Mr. Speaker, that is not my understanding. If I am incorrect on that I will certainly let the hon. the Leader of the Opposition know, but that is not my understanding, It is the actual intent now to extend it to them and they might have to pay a little bit of back contribution to bring this into effect, but it really is to make them comparable with similar workers in similar types of institutions.

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

MR. MARSHALL: If I could, Mr. Speaker, just answer, I can answer now the question asked by the hon. the Leader of the Opposition in connection with the Education (Teachers' Pension) Act. We have checked with the Minister of Education (Ms Verge) who is presently at a meeting and she is advised that the NTA has a committee which meets on these matters and the bill and its contents are in conformity with them.

Order 40, Bill No. 95.

Motion, second reading of a bill, "An Act To Amend Certain Taxation Statutes, 1981," (Bill No. 95).

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

DR. COLLINS: Mr. Speaker, the explanatory note in this bill is, I think, pretty full. I would just like to point out that it is to increase the rate of interest charged on overdue accounts, that is, accounts owed to government. It is to increase that rate of interest from 1 per cent per month to 1.5 per cent per month, and that is in line with a recommendation that was contained

DR. COLLINS: in the last Auditor General's report.

I move second reading.

On motion, a bill, "An Act To Amend Certain Taxation Statutes, 1981," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 95).

MR. MARSHALL: Order 41, Bill No. 97.

Motion, second reading of a bill, "An Act To Amend The Assignment Of Book Debts Act," (Bill No. 97).

On motion, a bill, "An Act To Amend The Assignment Of Book Debts Act," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 97).

MR. MARSHALL: Order 42, Bill No. 96.

Motion, second reading of a bill, "An Act To Amend The Registration Of Deeds Act," (Bill No. 96).

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

MR. OTTENHEIMER: Mr. Speaker, actually there is very little to be said about that, the explanatory note explains the whole thing. It increases the fees for registration and it shows in all instances what the increases are, from what to what?

MR. OTTENHEIMER: For example, for a certificate of search under section 36 will go from twenty-five dollars to fifty dollars. Something else will go from one dollar to two dollars. Some matters will go from fifty cents to a dollar. It is a general doubling.

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

MR. STIRLING: Yes, Mr. Speaker.

MR. OTTENHEIMER: Fifty per cent. Sorry.

MR. STIRLING: Some of them considerably in excess of fifty per cent.

This is part of this problem of the government who tries to pretend that taxes have not increased. The Premier was on today with another little blurb about how he had kept all his promises. Mr. Speaker, the promise was that taxes would not increase and then they found that they wanted to define that in its very narrow context of saying the retail sales tax as it was before they took office would not increase. They put on a gasoline tax which is double the retail sales tax, 22 per cent retail sales tax. And now, Mr. Speaker, when they get to the Registration of Deeds Act it has taken the cost of housing - and this is where this gets involved in registering the deeds for a house and the transfer of a mortgage - it doubles and sometimes triples and sometimes as much as five times, I think, in the case of something going from one dollar to five dollars.

Now, Mr. Speaker, we already in this Province have a cost of housing considerably in excess of what it should be. And part of the reason has to do with the highest retail sales tax in Canada. A government that a few minutes ago chided the Government of Nova Scotia, they were quite happy that they had made a profit. Can you imagine a government in this Province, in this day and age, with the high unemployment, with the real problems all over this Province, with the lack of attention to jobs and

MR. STIRLING: roads, a government that stands up and is proud of the fact that they made a profit off the taxpayers last year. Instead of only making a \$12 million profit they made a \$25 million profit and being very happy that they made that kind of profit off the taxpayers. In other words, Mr. Speaker, this government last year took in all the money that they needed to look after the current expenses and in addition took in and are very proud of the fact that with additional taxes they took in \$25 million more than they needed. Very proud in this House today to say that Nova Scotia and New Brunswick were in bad financial straits because this year they are using a deficit. What are they using it for, Mr. Speaker? In the case of housing in Nova Scotia they decided that they would implement a fund to keep situations at least on a manageable basis, to bring interest rates from 19, 20, 22 per cent down to 15 per cent interest.

And what has this Province done? They have closed their eyes to the fact that they should do something about it. They have made a profit and they are pleased to be making a profit off

MR. STIRLING:

the taxes, very proud the Premier was today to think we are anticipating making a profit off the taxes on current account, no other province in the Atlantic Canada area, and they are proud of it, Mr. Speaker. They made a profit and they anticipate taking more in in taxes than they need to pay out in expenditures. And, Mr. Speaker, this is one way in which they are going to do it. They are going to add - they are going to pass this along and the criticism will go to the lawyers, that the lawyers have to double the fees now for registration, and there is a whole schedule and it is no wonder that he tried to whip through them very fast. Everything that was \$5.00 is now gone to \$10.00, everything that was \$0.50 is now gone to \$1.00, all of these things, Mr. Speaker, that will add to the cost of housing every way that they can. Because, Mr. Speaker, their whole attitude is one of making sure that they have their finances in line so that they can satisfy the bankers and satisfy the people in New York and they are socking it to the Newfoundlanders, the same kind of thinking as Commission of Government in which people starved while they built up a \$40 million surplus. And this government is increasing taxes every way that they can, every fee that they can change. Last week it was going from \$2.00 to \$5.00 just to have your record checked at Motor Registration. Mr. Speaker, I believe my colleague from Grand Bank (Mr. Thoms) has a few additional comments that he would like to make. All I wanted to say, Mr. Speaker, is that we cannot let this pass without the people of Newfoundland and Labrador knowing what the Premier of this Province said today, that he is proud of the state of the unemployment situation in Newfoundland, he is proud of the lack of construction, he is proud of the fact that they are going to make a profit off the taxpayers this year, and now he is socking it to them again by increasing

MR. STIRLING: registration fees. And instead of bringing down the cost of housing, he is loading on more and more to a constituency because they are not grumbling enough, they are not screaming enough and they will keep the screws turned until they will scream louder and louder. And I believe my colleague has a few additional comments to make, Mr. Speaker.

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

MR. THOMS: There is nobody speaking on the other side, Mr. Speaker? Now this particular piece of legislation, I am telling, Mr. Speaker, this House and members opposite that I am more than pleased to stand on my feet this afternoon and say that if anybody on this side of the House, any one, single, solitary member of the Liberal Opposition of this House votes for

MR. THOMS: this bill, then I will be no longer a member of the Liberal caucus.

SOME HON. MEMBERS: Hear, hear!

MR. THOMS: I can advise you of that right now.

AN HON. MEMBER: (Inaudible) your colleague.

SOME HON. MEMBERS: Oh, oh!

MR. THOMS: It gives me, Mr. Speaker, a great deal of privilege to vote against this particular piece of legislation. Now we heard in June of 1979 - I have another regret too, Mr. Speaker, I was meeting a constituency delegation down on the Fifth Floor when the Minister of Justice (Mr. Ottenheimer) tried to sneak this piece of legislation through the House, and instead of an hour to talk on it I only have thirty minutes. That is another regret that I have - but here we heard in June of 1979 the Premier of this Province saying to the people -

AN HON. MEMBER: Which Act is this?

MR. THOMS: Number 96, Bill No. 96. - saying to the people of this Province that taxes would not be raised during the first three years of his administration. We have seen, Mr. Speaker, in this House so far, we have seen everything that they can lay their hands on and the permits, fees, whatever they can find has been doubled and tripled since this administration took office. And who are the people that are being hit by these increases? Who are the people that are being hit by the increases contained in this particular piece of legislation which took the Minister of Justice thirty seconds to introduce in this House? Who are the people? The people in this Province, Mr. Speaker, who are trying to put a roof over their heads.

SOME HON. MEMBERS: Oh, oh!

MR. THOMS: Housing, as my friend, the Leader of the Opposition said, is being made more expensive by this increase. And this from a Premier and an administrative that promised no increase in taxes for the first three years of the administration. Now the President of the Council (Mr. Marshall) will try to weasel out of it by saying that the Premier said that there will be no increase in the retail sales tax in this Province. How can you - it is 11 per cent now, Mr. Speaker, it is 11 per cent now; and then he did not increase the retail sales tax, no. He created another retail sales taxes, he created a 22 per cent tax on gasoline in this Province.

MR. CARTER: (Inaudible) Liberals in Ottawa.

MR. THOMS: Go back
to your savoury patch! I am not interested in hearing one thing you have to say.

MR. CARTER: (Inaudible).

MR. THOMS: But here again, Mr. Speaker.

MR. SPEAKER (Butt): Order, please!

MR. THOMS: Go and sniff whatever you got up there. Go and sniff it.

But, Mr. Speaker, here again we have the ordinary, everyday citizen having it socked to them

MR. THOMS:

by this administration. There is the difference between the Tories and the Liberals, Mr. Speaker: One could not care less for the ordinary people anywhere, and this administration could not care less for the ordinary people of this Province. Here we have a piece of legislation coming in, and this is after a solemn promise not to sock it to the people of this Province in the first three years of the administration, not to sock it to them, and here we have the registration fees being increased by 100 per cent in the first instance. Now to the unlearned, the uninitiated in paying of registration fees, it looks like just an increase from five dollars to ten dollars, that a person can register a mortgage in this Province of a deed of conveyance in this Province or a power of attorney or whatever for ten dollars. But that is not true, that is not the case at all.

The situation is that the ten dollars, Mr. Speaker, is the initial charge, the first root that the homeowner or the person who is trying to become a homeowner in this Province gets. That is the first root. Then he is charged twenty cents for every one hundred dollars consideration in the deed, twenty cents. So that the average fee that is gotten out of the people of this Province who are buying homes, trying to put a roof over their heads for their wives and their families, are paying \$200 or \$300, and in most cases where there is a mortgage they are paying more because the average price of a house now is \$65,000, \$70,000 for an ordinary three bedroom home. The registration fee on a \$70,000 house for the conveyance is, at the present time, \$145. If there is a mortgage on that house for \$50,000 then in addition to that \$145 the purchaser pays another \$105. So he pays \$250 to record his ownership down on the ground floor -

MR. CARTER:

How much does the lawyer get?

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MR. THOMS: The lawyer does not get as much as the government. But I will tell you what we do get: We get the blame for that \$250. We get the blame. And I hope the press in this House, I hope the press that is covering this House advises the people of this Province who is socking it to them now, who is giving it to them.

MR. CARTER: Tell us how much you charge.

MR. SPEAKER (BAIRD): Order, please!

MR. THOMS: Not much more than that. But it is also good insurance, I am guaranteeing title for that person. What are you doing, what is this government doing for the \$250? They are recording a deed on the Ground Floor of Confederation Building. That is all they are doing. It is tax. Sure, it is a tax that little 'Alfie' said would not be increased in the first three years of administration.

MR. TULK: You finally got through to him.

MR. MORGAN: This is disrespectful.

Address the man by his title.

MR. SPEAKER (BUTT): Order, please!

MR. THOMS: Mr. Speaker, the Minister of Fisheries (Mr. Morgan) is talking again. We paid tribute today to Herb Wells who wrote a new book about the veterans and so on, and if Mr. Wells could sell enough books to fill the Minister of Fisheries (Mr. Morgan) mouth, then he would have a bestseller. There is no doubt, Mr. Speaker, to that at all.

SOME HON. MEMBERS: Hear, hear!

MR. THOMS: He would have a bestseller.

MR. NEARY: No one in the gallery knows you are around.

MR. MORGAN: But you are a lawyer.

MR. THOMS: But, Mr. Speaker, -

MR. MORGAN: You are a lawyer.

MR. THOMS: Mr. Speaker, yes,

I am a lawyer and I cannot say the same thing of you as being the Minister of Fisheries. I cannot say that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (BAIRD): Order, please! I would ask all hon. members to address the Chair.

MR. THOMS: Thank you very much, Mr.

Speaker. I am only too happy to address the Chair anytime rather than the Minister of Fisheries. He comes up every two

MR. THOMS:

minutes to blow.

Mr. Speaker, in almost every case in this seemingly innocuous little piece of legislation of two or three pages this government is increasing the fees by 100 per cent. They are charging now - before it was fifty cents - but now - you know, anybody who has bought a house realize they go into a lawyer's office and they sign maybe a deed, if it is not freehold, or they sign a mortgage; so they write their name, John Jones, and the lawyer witnesses the signature. He witnesses the signature. This government now is charging the person buying that house a dollar for that signature. They are paying a dollar for their signature. And nobody on the other side of the House, nobody wants to speak on it. The reason nobody wants to speak on it because they are embarrassed.

MR. TULK:

They are ashamed.

MR. THOMS:

They are ashamed, and they should be embarrassed and they should be ashamed.

MR. TULK:

They should be called the 'Sock it to them government.'

MR. THOMS: Mr. Speaker, you know, there is nothing good that I can say about this. What this piece of legislation does is make higher the highest registration fees in Canada. Now, this is what this administration has to be proud of. They now have the highest registration fees - they had the highest registration fees and they still now have the highest registration fees in Canada. Mr. Speaker, how funny is it, I wonder, to read the last paragraph in this particular bill? It says that a person is not liable - now there is a good legal term for you - he is "not liable to pay for the registration of a mortgage, charge, floating charge, or specific or floating mortgage or charge of chattels referred to in subsection (1) a fee of more than - " Now, the people of Newfoundland, I would like to assure them, Mr. Speaker, of this, that this administration is making one promise to them under this particular piece of legislation and I am sure that every person out there who is buying a house now will be very happy to know this, that generosity of the Tory administration of this Province, the unquestioned generosity of the Tory administration.

MR. MORGAN: Cannot (inaudible) involved.

AN HON. MEMBER: (Inaudible) four years.

MR. SPEAKER (Butt): Order, please!

MR. THOMS: The Minister of Fisheries (Mr. Morgan) now can rest assured that this administration and every middle class, low-income, average Newfoundlander will not be socked more than \$1,500. The Registrar of Deeds under this particular legislation is not allowed to charge more than \$1,500 to register a mortgage or a conveyance. Now, Mr. Speaker, I do not know how many

MR. THOMS: Newfoundlanders can afford a home where the registration fee is going to be \$1500.

MR. MORGAN: I know because the high mortgage fee (inaudible).

MR. THOMS: I can assure members of this House that there is nobody in the district of Grand Bank who will have to worry about paying a \$1500 registration fee.

MR. NEARY: Fifteen hundred.

MR. THOMS: You cannot be charged more than \$1500. So I figure every homeowner in this Province now will be able to sleep very confidently tonight knowing that this administration is not going to charge them more \$1500.

MR. NEARY: What would be the average fee?

MR. THOMS: The average one would be \$250.

MR. NEARY: What is it now?

MR. THOMS: What?

MR. NEARY: The registration fee.

MR. THOMS: Oh, the registration fees. It is five dollars in the first instance and then twenty cents a page. But we already have the highest registration fees in Canada.

MR. NEARY: (Inaudible) fifty or sixty dollars now.

MR. THOMS: No. The average registration - I just gave it a few moments ago - the average cost of an ordinary, everyday three bedroom bungalow in the city of St. John's now is \$70,000. And if a person has to borrow \$60,000 to buy that house, puts in \$10,000 himself, then his registration fees are \$250, \$250 smacked onto the purchase price of the house. But if he brought a house that was worth a quarter of a million dollars or a half million dollars or \$750,000 this now means, Mr. Speaker, this legislation, because they cannot charge more than \$1500 - okay? -

MR. THOMS: they cannot charge more than \$1500 so any Newfoundlander now can pay \$5 million for a house, like Kenny Rodgers did, they can pay \$5 million for a house and they can rest assured that they are not going to have to pay more than \$1500 registration fee, that this administration is not going to charge them more than \$1500 to register their deed.

MR. TULK: (Inaudible) more than that.

MR. THOMS: They will, of course.

MR. HOUSE: You cannot charge more?

MR. HANCOCK: No, boy.

MR. THOMS: No. I am just trying to point out how generous the hon. Minister of Health (Mr. House) is and how generous his colleagues in the Cabinet are. I am just trying to point out to the people of Newfoundland what they have to be thankful for. You know, we are getting an overheated economy, Mr. Speaker. After 450 years, 500 years we are getting an overheated economy.

MR. NEARY: The only thing in heat over there is the Minister of Fisheries.

MR. THOMS: And now the people of this Province can go to bed knowing that if they decide to buy a home tomorrow, the young people of this Province who are getting married and they are buying a new home, they can now rest assured that they will not have to pay more than \$1500 to register the deeds of their property.

MR. THOMS: As I understand it, as I read it that it is possible really to pay \$3,000 to register because you may buy a house for \$1.5 million, \$2 million, you could, and if you have a mortgage on that house of \$1 million then you can be charged \$1500 for the conveyance and \$1500 for the mortgage. So that, Mr. Speaker, I am sure the people of Newfoundland will appreciate this administration for the fact that they will not have to pay more than \$1500. And I would like the people of this Province to know that. I want it to go out and I hope the press will tell the story, will tell the people of this Province how generous the Premier of this Province is to them, how generous this Cabinet is to them, that they will not have to pay more than \$1500. But, Mr. Speaker, every single solitary item has now been doubled. Up until this legislation you could register a release of mortgage, you could register a release of mortgage, which is a one page document, it is a one page document releasing a mortgage. Prior to this you could register that for five dollars. Now it is going to cost you ten dollars to register that. That is 100 per cent increase by an administration who were not going to raise taxes in the first three years of their administration.

For registering a judgement it is now ten dollars. Anybody can take the legislation and look at it and see the comparisons. They were all five dollars to do. Now the initial payment has been raised to ten dollars. Some have been put in there for the first time. For the filing of an affidavit now or any statutory declaration, which I assume would include an affidavit under that great piece of legislation, the Matrimonial Property Act, that is going to make so many lawyers rich in this Province, I assume that now to file that affidavit you are going to have to pay an extra dollar. For a certificate of

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MR. THOMS: acknowledgement or for this purpose, the attestation of a signature before a barrister or a solicitor you have to pay a dollar. Searches are now ten dollars. Registering a release or a transfer of mortgage, ten dollars. Registering a power of attorney, if I give you the authority to sign a document on my behalf that has to be registered within six months after the deed itself is registered, than that is going to cost ten dollars to register.

This piece of legislation, it just cannot be justified,

MR. THOMS: Mr. Speaker, there is no justification in this world for it. We already have the highest registration fees in Canada. We are now increasing those fees. Mr. Speaker, the price of housing, a young person today who gets married and plans to have a family, who wants to buy a home in this Province, just cannot do so any longer. You cannot afford to own a home. There is something like a thousand homes a week in Canada that people are losing. The high interest rates are a factor, that once the mortgages on the homes mature that those people -

MR. CARTER: What are you charging?

MR. THOMS: If you want good value for your money you can have it in lawyer's fees, you can have it. Nobody has ever accused me of gouging anybody. Mr. Speaker, but it has to come to an end. One of those days - you know, Margaret Thatcher says that the unemployment rate in Britain is not the cause of the rioting in that country. The normally staid British, I believe, are beginning to react. They are beginning to react to inflation, they are beginning to react to high interest rates, and it may only be a matter of time before the people in this Province and this country start to react to the high interest rates and start to react to increase in taxes. Mr. Speaker, last year - I said it before - for the privilege of going on a Newfoundland river and catching, if you are lucky, a salmon or two, last year it cost my family \$7.50. This year it costs my family, the right to go out and fish for a trout or fish for a salmon in this Province, \$15.00, a 100 per cent increase. This administration can only multiply. I mean, the metric system must be brought in especially for this administration. They can only raise things by 100 per cent, they do not know how to raise things by 1 per cent or 2 per cent.

MR. THOMS:

If you are embarrassed by this particular piece of legislation, you have your opportunity to stand up and speak about it. If you agree with this particular legislation, if the Minister of Fisheries (Mr. Morgan agrees with this particular piece of legislation, let him stand on his feet and say so. If he is not ashamed of this particular piece of legislation, let him stand on his feet and say so.

MR. BARRY: Sit down!

MR. THOMS: No

wonder the Minister of Mines and Energy (Mr. Barry) does not want to hear it. Everything in this Province this last two years has increased by 100 per cent.

MR. NEARY: She is gone, boy!

MR. THOMS: Every permit, every bit of taxes, everything, and the person who is getting hit by it is the ordinary, average, everyday Newfoundlander -

SOME HON. MEMBERS: Hear, hear!

MR. HANCOCK: Who cannot afford it.

MR. THOMS: - who is trying to eke out a living in this Province.

MR. HANCOCK: That is a good statement, Mr. Speaker. That is an excellent statement. And that sums up the state of our economy, Mr. Speaker.

MR. THOMS: And this administration does not care. That is why the Minister of Mines and Energy says, 'Sit down.' That is why he wants you to sit down; that is why the Minister of Fisheries (Mr. Morgan) is there with his jaws going.

MR. MORGAN: I am not saying a word.

MR. THOMS: That is why, because he does not want the people of this Province to know that this Premier and this administration is socking it to them right, left, and centre; every which way they turn they are getting it.

Mr. Speaker, I have never voted against a piece of legislation with such pleasure as I am going to vote against this particular piece of legislation.

MR. NEARY: Let us have a standing vote.

MR. BARRY: Will just one guy over there vote for it to see what 'Les' does?

MR. THOMS: Yes -

MR. HANCOCK: What is it worth to you?

MR. THOMS: - I can tell you exactly what I will do if one person votes for this particular piece of legislation.

MR. HANCOCK: We saw what happened to you when you plugged your finger into the socket.

MR. BARRY: What will you do?

MR. THOMS: I told you and it will happen.

MR. BARRY: What will you do?

MR. THOMS: I am not going to repeat myself on that.

MR. BARRY: Cross the floor?

MR. THOMS: No. That is one thing you do not have to worry about, My philosophy in this life is not one that would ever permit me to be a Tory.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Right on.

MR. THOMS: I would never permit me to be a Tory because I am too sensitive to be a Tory, Mr. Speaker. I have too much respect, too much regard, too much love for the people of this Province to be a Tory, just too much.

MR. NEARY: To be a dirty Tory.

MR. HANCOCK: What did MacEachen have to say?

SOME HON. MEMBERS: Oh, oh!

MR. THOMS: If you want to know what the people of this Province think about me, get your boss to call an election and see what happens in the district of Grand Bank.

MR. HANCOCK: Boy, he is solid. I was down there a week, and he is solid as a brick.

MR. THOMS: And then we will know what the people think of me. Then we will know.

MR. HANCOCK: Solid as a brick, boy.

MR. THOMS: Have the courage, put your money where your mouth is and let us see what happens in this Province.

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MR. HANCOCK: We were down to Fortune-Hermitage and Grand Bank over the weekend, boy.

MR. THOMS: Let us see how they speak out on legislation such as this.

MR. HANCOCK: What a weekend we had.

MR. THOMS: Mr. Speaker -

MR. HANCOCK: We were down to Fortune-Hermitage and Grand Bank on the weekend.

AN HON. MEMBER: You have fifteen minutes yet.

MR. THOMS: Mr. Speaker, I get mad when I see an administration that does not care for the people of this Province, that does not care what happens to the people of this Province, that believes that you sock it to the people of this Province.

MR. HANCOCK: How much does the electrified fence around the Premier's house cost? That shows where your priorities lie.

MR. THOMS: Mr. Speaker, maybe this is why we are increasing the fees. Maybe we need money to build an electrified fence around the Premier's house, maybe we need money to pave the driveway for the Premier of this Province.

MR. HANCOCK: That administration does not know the war is over.

MR. THOMS: I have nothing against it, Mr. Speaker. I believe that the Premier's driveway should be paved. I believe that you should provide a house for the Leader of the Opposition and pave his driveway too. I agree 100 per cent with what the federal Liberals did for Joe Clark recently when they increased his salary and gave him a Summer home. He deserves it. I agree with it. But I think we should get our priorities straight.

SOME HON. MEMBERS: Oh, oh!

MR. THOMS: I hope that when the Minister of Transportation (Mr. Dawe) visits the district of Grand Bank that this administration is going to find the few dollars that are needed -

SOME HON. MEMBERS: Oh, oh!

MR. THOMS: Mr. Speaker, I do not want absolute quiet but I would like, though, to hear myself.

MR. SPEAKER (Butt): Order, please!

MR. THOMS: Mr. Speaker, I have a piece of road in my district that is a danger to the life and limb of everybody who goes over it.

MR. BARRY: You do not go over it very often.

MR. THOMS: No, I do not go over it very often. I go miles and miles and miles out of my way because I am afraid to go over it and I fear for everybody who has to go over that particular piece of road.

Now, what I am saying is this, that this administration should get its priorities straight. That particular piece of road has to be the top priority in this Province. There cannot be a more dangerous section of road in the Province than the piece of road between Lord's Cove and Lawn at the present time, Mr. Speaker. It should have been top priority, but it was not. So we should get our priorities straight.

If and when we develop Hibernia, if Nova Scotia does not beat us to it and Sable Island

MR. THOMS: is commercially viable and they sell their gas and get all the benefit from it.

MR. HANCOCK: Mexico just dropped from world prices by one dollar a barrel.

MR. THOMS: Once we develop Hibernia then give the Premier all the electrified fences he wants, pave his driveway, do whatever you want for the Premier. Do the same thing for the Leader of the Opposition (Mr. Stirling). Do the same thing for all of us who are sharing, two and three members of this House, sharing one secretary. I am sharing a six by six office with the member for Terra Nova. Give us all those things but let us get our priorities straight. Instead of an electrified fence at Mount Scio, give the district the few dollars that are needed to upgrade the new section of road so that it can be opened. And we are not asking very much. What I am saying is let us get our priorities straight because -

MR. MORGAN: What has that got to do with this particular bill?

MR. THOMS: What has it got to do with this particular bill? Mr. Speaker, unfortunately I would love to tell the minister what it has got to do with this particular bill. And if I could get the leave of the House I would not mind carrying on. I doubt if I would because I am so nice to the government on the other side I am sure they would want me to carry on.

Mr. Speaker, if I may just sum up. We are very happy on this side of the House to advise -

MR. SPEAKER (BUTT): The hon. member's time has expired.

MR. THOMS: - that we are not supporting this particular piece of legislation.

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker.

MR. SPEAKER (BUTT): If the hon. Minister of Justice speaks now he closes the debate on second reading.

MR. OTTENHEIMER: Anybody else want to speak?

Mr. Speaker, I am not going to be very long because hon. members have been subjected to a fair amount of verbiage. I usually listen - the hon. member knows this - with interest, with attention when the hon. gentleman for Grand Bank (Mr. Thoms) speaks. I do not always agree with him, sometimes agree with him, sometimes partially but I listen with interest. But after the first few minutes today I do not think it will come as any surprise to the hon. gentleman that my interest began to wane and wander and I was not able to follow with the assiduousness that I usually muster to listen to the hon. gentleman's arguments.

I just want to give one example and it has been worked out. You cannot work them out for every price and every house. I suppose you could if you had a computer. But just to give one example. Obviously it is an increase, we all know that. This proposed increase would, if we take an example, a \$60,000 conveyance with a \$40,000 mortgage, under the old scale of fees the fees would be \$209, under the new scale the fee would be \$303.50, around a 32 per cent increase. Obviously it is an increase, you know, but the world is not going to come to an end. Nobody likes an increase in fees. The hon. gentleman does not like to have to pay fifteen dollars for a salmon licence instead of \$7.50. I do not like, nor does he like, to have to pay more for gasoline. Those of us who smoke do not like to have to pay more for cigarettes or cigars. Those of us who drink - and I do not think there are probably very many in the House - but those of us who, occasionally for medicinal purposes, might have a scotch before going to bed, do not like to have to pay more for the medicine but inflation

MR. OTTENHEIMER: is obvious in Newfoundland and Canada and North America, and as much as we do not like it it is a fact that we have to live with. So, Mr. Speaker, I move second reading.

On motion, a bill, "An Act To Amend The Registration Of Deeds Act", read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 96).

Motion, second reading of a bill, "An Act To Amend The City Of St. John's (Loan) Act, 1978". (Bill No. 93).

MR. SPEAKER (Butt): The hon. the Minister of Municipal Affairs.

MRS. NEWHOOK: Mr. Speaker, Bill 93 contains one single amendment which would increase the \$10 million limit placed on the Council under the City of St. John's (Loan) Act of 1978 to a \$20 million limit. The St. John's Municipal Council has requested that the borrowing limitations under this act should be increased to \$20 million to cover the amount anticipated to be borrowed by the City during this year, and I seek approval, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

On motion, a bill, "An Act To Amend The City Of St. John's (Loan) Act, 1978", read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 93).

Motion, second reading of a bill, "An Act To Amend The St. John's Assessment Act". (Bill No. 92).

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MRS. NEWHOOK: Mr. Speaker, Bill 92 contains a consequential amendment resulting from metric conversion in respect of the fuel oil tax which has been converted from

MRS. NEWHOOK: 2¢ per gallon to the equivalent of one-half cent per litre. And with regard to Clause 2, Mr. Speaker, the act presently provides for a phase-in five-year period in respect of tax on capital value for residential and commercial properties assessed before the first day of December, 1980, but does not include existing residential and commercial properties that may be taken within the city. This amendment will provide -

On motion, a bill, 'An Act To Amend The St. John's Assessment Act", read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 92).

MR. MARSHALL: Mr. Speaker, I move the House resolve itself into Committee of the Whole for the purpose of considering certain bills.

On motion, that the House resolve itself into Committee of the Whole to consider certain bills, Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE:

A bill, "An Act To Amend The Assessment Act". (Bill No. 39)

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

A bill, "An Act To Amend The Electrical Power Control Act". (Bill No. 17)

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

A bill, 'An Act To Amend The Department Of Mines And Energy Act, 1973". (Bill No. 20)

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

A bill, "An Act Respecting The Newfoundland Association Of Optometrists And Governing The Practice Of Optometry In The Province," (Bill No. 48).

On motion, clause (1), carried.

MR. CHAIRMAN (Baird): Shall clause (2) carry?

MR. MARSHALL: On clause (2), Mr. Chairman, there is an amendment to the definition in paragraph (h) of optometry. I move that paragraph (h) of clause (2) be amended by deleting the words 'the detection of any abnormal condition of the eye for medical referral'. The reason for this has been given by the Minister of Health (Mr. House) when he was bringing in the matter on second reading. It is to remove the pure medical aspects from the bill that should not have been in there in the first place.

On motion, clause (2) as amended, carried.

On motion, clause (3) carried.

MR. MARSHALL: Mr. Chairman, I move with the consent of the Committee that clauses (4) through (43) be carried.

On motion, clauses (4) through (43), by leave, carried.

MR. CHAIRMAN: Shall clause (44) carry?

MR. MARSHALL: On clause (44), Mr. Chairman, there is an amendment. I move that clause (44) be amended by striking out the words 'who has any indication of eye disease or injury which requires medical evaluation' and by substituting therefor the words 'where the practitioner has detected or should have reasonably suspected a condition that requires a medical opinion or a medical or surgical treatment.' The reason for the amendment is the same as before and it was given by the minister when he introduced the bill.

On motion, clause (44) as amended, carried.

On motion, clauses (45) through (49), carried.

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

MR. MARSHALL:

Order 6 Bill No. 38.

A bill, "An Act To Amend The Human Tissue Act, 1981, " (Bill No. 38).

MR. CHAIRMAN (Baird):

Shall clause (1) carry?

MR. MARSHALL:

Mr. Chairman, I am sorry but the bill should be amended by adding immediately after the words 'any person performing a post-mortem examination of a body' - after those words you put 'in cases described in section (22) of the Summary Proceedings Act' to make it workable to the Summary Proceedings Act.

On motion, Amendment carried.

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

A bill, "An Act Respecting Denturists". (Bill No. 49).

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

A bill, "An Act To Amend The Embalmers And Funeral Directors Act, 1975". (Bill No. 37).

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

A bill, "An Act To Amend The Medical Act, 1974". (Bill No. 14).

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

A bill, "An Act To Amend The Hospitals Act, 1971". (Bill No. 13).

MR. CHAIRMAN (Baird): Shall Clause 1 carry?

The hon. the President of the Council.

MR. MARSHALL: In connection with this one, there is an amendment as well. I move that this bill be amended by adding after Clause 1 the following - two sections - Section No. 2 will read Section 21(a) of the said act is amended by striking out the words 'hospital board' wherever they occur and substituting the words 'hospital authority' and a clause, Section 3, Item 1 of the schedule to the act, is amended by striking out the words 'International Grenfell Association' and by substituting the words 'Grenfell Regional Health Services Board'. The reasons for these amendments are obvious, Mr. Chairman, and will add Sections 2 and 3.

On motion, Clause 1 as amended, carried.

On motion, Clauses 2 and 3, carried.

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

July 14, 1981

Tape No. 3320

GS - 2

A bill, "An Act Respecting
Dispensing Opticians". (Bill No. 21).

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

A bill, "An Act To Amend The
Timber Scalers Act". (Bill No. 12).

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

A bill, "An Act To Amend The
Municipalities Act". (Bill No. 44).

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

A bill, "An Act To Amend The St. John's Municipal Election Act". (Bill No. 91)..

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

A bill, "An Act To Amend The Highway Traffic Act". (Bill No. 36).

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

A bill, "An Act To Amend The Motor Carrier Act". (Bill No. 25).

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

A bill, "An Act To Amend The Highway Traffic Act To Provide For The Compulsory Use Of Seat Belts". (Bill No. 45).

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

A bill, "An Act To Amend The Child Welfare Act, 1972". (Bill No. 34).

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

A bill, "An Act To Amend The Fishing Industry Advisory Board Act, 1975". (Bill No. 11)

MR. CHAIRMAN (BAIRD): Shall the enacting clause carry?

MR. MARSHALL: Just one moment, I have an amendment.

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

MR. MARSHALL: I move that the bill be amended by adding immediately after clause (4) the following, "(4) (1), paragraph (b) of subsection (1) of section 15 of the Child Welfare Act is amended by striking out the words, "Subject to supervision by the director" and substituting the words "Subject to approval and supervision by the director". And the reason for that is obvious, that is the principle of the bill and the Child Welfare Act would have been inconsistent with this particular act.

MR. STIRLING: Is that the Child Welfare Act?

MR. MARSHALL: Yes, Bill No. 34. Humbly too.

On motion, amendment carried.

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

A bill, "An Act To Amend The Fishing Industry Advisory Board Act, 1975". (Bill No. 11).

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

A bill, "An Act To Amend The Co-operative Societies Act". (Bill No. 30)

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

A bill, "An Act To Amend The Department of Rural, Agricultural And Northern Development Act." (Bill No. 33)

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

A bill, "An Act To Amend The Department Of Public Works And Services Act, 1973 With Respect To Government Printing". (Bill No. 32)

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

A bill, "An Act To Amend The Fire Prevention Act". (Bill No. 5)

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

A bill, "An Act To Provide Certain Rights For Blind Persons". (Bill No. 62)

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

A bill, "An Act To Ratify, Confirm And Adopt An Amending Agreement Entered Into Between Government And Lower Churchill Development Corporation Limited". (Bill No. 69)

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

A bill, "An Act To Amend The City Of St. John's Act". (Bill No. 43).

On Motion Clause (1) carried.

MR. CHAIRMAN: Shall Clause (2) carry?

MR. MARSHALL: Clause (2), Mr. Chairman.

MR. CHAIRMAN: The President of the Council.

MR. MARSHALL: I move that Clause (2) be amended as follows; Subclause 1 of Clause (2) be struck out and the following substituted therefore "Section 18 of the Act is repealed and the following substituted, 18(1) the control and management of the affairs of the city shall be vested in a board to be known as The St. John's Municipal Council hereinafter called the Council." And Subsection (2) "The Council shall consist of a mayor and eight councillors, but the council may, subject to the approval of the Lieutenant Governor-in-Council, by by-law carried by two-thirds vote of the council, increase the number of councillors to ten."

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: This amendment, Mr. Chairman, is consequential to the remarks that were made in introducing the bill and the change is a result of a request from City Council.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: The hon. Leader of the Opposition.

MR. STIRLING: I would just like to note that in both this vote and the vote requiring the change to a ward system where we are asking for a two-thirds majority, in just about everything else a simple majority is required. And I would record that I think that it is a mistake to require a two-thirds majority. I think - a two-thirds vote - a simple majority of half plus one should be sufficient for both these clauses. I just want to record our objection, Mr. Chairman.

MR. CHAIRMAN (Baird): The hon. member for Grand Bank.

MR. THOMS: Thank you very much, Mr. Chairman.

That is one amendment. I mentioned during the debate on this particular bill, and I am referring to Clause (5) of the Act, where the right to forgive tax is taken away from the Court of Revision and maybe it should be taken away from the Court of Revision. But I question then whether or not now the Council has a right to - they are given the right to defer but do they have the right to forgive? And I believe the President of the Council (Mr. Marshall) made a comment at the time and I thought we might have -

MR. MARSHALL: We looked at it and I believe -

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

MR. MARSHALL: Mr. Chairman, I believe it is in the Act. We have looked at it. But the observations made by the hon. member were well taken and I can assure the hon. member that we will be looking into it further and if necessary we will be bringing in the necessary Act in the Fall.

MR. CHAIRMAN: Shall the amendment carried?

On motion Clause 2 as amended carried.

On motion Clause 3 carried.

MR. CHAIRMAN: Shall Clause (4) carry?

MR. STIRLING: Mr. Chairman.

MR. CHAIRMAN: The hon. Leader of the Opposition,

MR. STIRLING: I just want to note for the record a recommendation that we made before, it may not deal with this specific clause but the amendment to The Municipalities Act should also be made to The City of St. John's Act which will take away from the city the right to take owner-occupied property for taxes. It is now going to apply to every other municipality in the Province. And the recommendation is that that now be done with the City of St. John's Act. If it already has, I would just be assured of it, and we will have no further problems.

MR. CHAIRMAN: The President of the Council.

July 14, 1981

Tape 3323

PK - 3

MR. MARSHALL: Mr. Chairman, a real issue with the City Council. But the observation again is well taken and it is being considered and I will anticipate that we would be able to lead an amendment to that this Fall.

On motion, clause as amended,
carried.

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

MR. MARSHALL: Mr. Chairman, I have to apologize
to the Committee. While we were going through order 14,
bill no. 91 and we passed that bill without amendment. There
has to be an amendment to clause (8) (1), coincidental with
this matter of the eight councillors. I could just read it.
Subclause (1) of clause 8 is struck out and the following
substituted. "Section 40 of the act is amended by striking
out the word "eight" and substituting the words, "The number
of councillors pursuant to section 18 of the City of St.
John's Act"and striking out the words"indicated on voting
card, or in" and substitution the word "for" which is a
consequential amendment. I would like to move that that bill
be deemed recalled to the Committee and this amendment is
proposed.

MR. CHAIRMAN (BAIRD): Is it agreed that Order 14, Bill
No. 91 -

SOME HON. MEMBERS: Agreed.

A bill, "An Act To Amend The
St. John's Municipal Elections Act". (Bill No. 91).

On motion, clause as amended
carried.

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

MR. CHAIRMAN: Is it agreed to stop the clock?

SOME HON. MEMBERS: Agreed.

MR. CHAIRMAN: Agreed.

July 14, 1981

Tape No. 3324

IB-2

A bill, "An Act To Amend The Newfoundland And Labrador Hydro Act, 1975". (Bill No. 74)

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

A bill, "An Act To Amend The Labrador Lands (Reservation) Act". (Bill No. 63)

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

A bill, "An Act To Amend The Judicature Act". (Bill No. 75)

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

A bill, "An Act To Amend The Fishing Ships (Bounties) Act". (Bill No. 83)

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

A bill, "An Act To Amend The Members Of The House Of Assembly (Retiring Allowances) Act". (Bill No. 84).

On motion, Clauses 1 through 3, carried.

MR. CHAIRMAN (Baird): Shall Clause 4 carry?

The hon. President of the Council.

MR. MARSHALL: Mr. Chairman, in conformity with what the hon. minister indicated when he introduced the debate on second reading, I move that Clause 4 of the bill be struck out and the following substituted therefor. Clause 4 will now read 'Sections 2 and 3 apply only to those persons who are elected to the Assembly for the first time for or after the 39th General Assembly of Newfoundland', which is this one, and I move that amendment.

On motion, Clause 4 as amended, carried.

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

A bill, "An Act Respecting An Increase Of Certain Pensions". (Bill No. 76).

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

A bill, "An Act To Amend The Education (Teachers' Pensions) Act". (Bill No. 87).

On motion, Clause 1, carried.

MR. CHAIRMAN: Shall Clause 2 carry?

The hon. President of the Council.

MR. MARSHALL: Clause 2, there is an amendment, Mr. Chairman, that has already been supplied to the Committee.

MR. MARSHALL: Clause 2 of the bill is amended by striking out paragraph c(i) and substituting the following: "c(i) to a teacher who has retired under subsection 4 of Section 4 at the first of the month following the month in which the retired teacher has reached his 55th. birthday or to a teacher who is retired at the commencement of this section and has done not less than twenty-five years of pensionable service and has reached the age of fifty-five and". And the reason for it is, Mr. Speaker, as already given.

On motion, Clause 2 as amended, carried.

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

A bill, "An Act Respecting An Increase Of Certain Pensions For Transferred Employees". (Bill No. 77)

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. 67)

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

A bill, "An Act To Amend Certain Taxation Statutes, 1981". (Bill No. 95).

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

A bill, "An Act To Amend The Assignment Of Book Debts Act". (Bill No. 97)

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

A bill, "An Act To Amend The Registration Of Deeds Act". (Bill No. 96)

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

A bill, "An Act To Amend The City Of St. John's (Loan) Act, 1978". (Bill No. 93)

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

A bill, "An Act To Amend The St. John's Assessment Act". (Bill No. 92)

On motion, clauses 1 through 9, by leave, carried.

MR. STIRLING: Mr. Chairman, maybe the President of the Council (Mr. Marshall) can tell us in this bill -

MR. CHAIRMAN (BAIRD): The hon. Leader of the Opposition.

July 14, 1981

Tape No. 3326

IB-2

MR. STIRLING: - the Act To Amend The St. John's Assessment Act, primarily designed to look after those areas we are supposed to take into the city, when does the government intend to table the Powell Report on the boundaries and when will we expect to get the decision of the government on that report?

MR. MARSHALL: Mr. Chairman,

MR. CHAIRMAN(Baird): The hon. the President of the Council.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

MR. MARSHALL: Mr. Chairman, I can say that that report is under very active consideration. As the hon. members understands, with the House sitting the way it is you need a little bit more time for more deliberation on it, but very, very shortly.

AN HON. MEMBER: How soon?

MR. MARSHALL: Very, very shortly. I would not like to say immediately, you know, one day or two days, but very, very shortly.

A bill, "An Act To Amend The St. John's Assessment Act". (Bill No. 91).

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

MR. MARSHALL: I move that the Committee rise and report considerable progress, Mr. Chairman.

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

MR. SPEAKER(Butt): The hon. the member for Humber West.

MR. CHAIRMAN(Baird): Mr. Speaker, the Committee of the Whole has considered the matters to it referred and has directed me to report bills nos. 39, 20, 49, 37, 14, 21, 17, 12, 44, 36, 25, 45, 11, 30, 33, 32, 5, 62, 69, 74, 63, 75, 83, 76, 77, 67, 95, 96, 97, 93 and 92 without amendment, and bills Nos. 48, 38, 13, 34, 43, 91, 84 and 87 with amendments and ask leave to sit again.

MR. SPEAKER(Butt): The Chairman of Committees of the Whole reports that they have considered the matters to it and directs him to report having passed the following bills without amendment: 39, 17, 20, 49, 37, 14, 21, 12, 44, 91, 36, 25, 45, 11, 30, 33, 32, 5, 62, 69, 74, 63, 75, 83, 76, 77, 67, 95, 97, 96, 93 and 92. And the following bills with amendments: 48, 38, 13, 34, 43, 91, 84 and 87.

On motion, report received and adopted.

On motion, amendments read a first and second time, bills ordered read a third time presently, by leave.

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 To Amend The Assessment Act". (Bill No. 39).

A Bill, "An Act To Amend The Electrical Power Control Act". (Bill No. 17).

A Bill, "An Act To Amend The Department Of Mines And Energy Act, 1973". (Bill No 20).

A Bill, "An Act Respecting
The Newfoundland Association Of Optometrists And Governing
The Practice Of Optometry In The Province". (Bill No. 48).

A Bill, "An Act To Amend
The Human Tissue Act, 1971". (Bill No. 38).

A Bill, "An Act Respecting
The Denturists". (Bill No. 49).

A Bill, "An Act To Amend
The Embalmers And Funeral Directors Act, 1975". (Bill No. 37).

A bill, "An Act To Amend
The Medical Act, 1974". (Bill No. 14).

A Bill, "An Act To Amend
The Hospitals Act, 1971". (Bill No. 13).

A Bill, "An Act Respecting
Dispensing Opticians". (Bill No. 21).

A Bill, "An Act To Amend
The Timber Scalers Act". (Bill No. 12).

A Bill, "An Act To Amend
The Municipalities Act". (Bill No. 44).

A Bill, "An Act To Amend
The St. John's Municipal Elections Act". (Bill No. 91).

A Bill, "An Act To Amend
The Highway Traffic Act". (Bill No. 36).

A Bill, "An Act To Amend
The Motor Carrier Act". (Bill No. 25).

A Bill, "An Act To Amend
The Highway Traffic Act To Provide For The Compulsory Use
Of Seat Belts". (Bill No. 45).

A Bill, "An Act To Amend
The Child Welfare Act, 1972". (Bill No. 34).

A Bill, "An Act To Amend
The Fishing Industry Advisory Board Act, 1975". (Bill No.11).

A Bill, "An Act To Amend
The Co-operative Societies Act". (Bill No. 30).

A Bill, "An Act To Amend
The Department Of Rural, Agricultural And Northern Development
Act". (Bill No. 33).

A Bill, "An Act To Amend
The Department Of Public Works And Services Act, 1973 With
Respect To Government Printing". (Bill No. 32).

A Bill, "An Act To Amend
The Fire Prevention Act". (Bill No. 5).

A Bill, "An Act To Provide Certain Rights For Blind Persons". (Bill No. 62).

A Bill, "An Act To Ratify, Confirm And Adopt An Amending Agreement Entered Into Between Government And The Lower Churchill Development Corporation Limited". (Bill No. 69).

A Bill, "An Act To Amend The City Of St. John's Act". (Bill No. 43).

A Bill, "An Act To Amend The Newfoundland And Labrador Hydro Act, 1975". (Bill No. 74).

A Bill, "An Act To Amend The Labrador Lands (Reservation) Act". (Bill No. 63).

A Bill, "An Act To Amend The Judicature Act". (Bill No. 75).

A Bill, "An Act To Amend The Fishing Ships (Bounties) Act". (Bill No. 83).

A Bill, "An Act To Amend The Members Of The House Of Assembly (Retiring Allowances) Act". (Bill No 84).

A Bill, "An Act Respecting An Increase Of Certain Pensions". (Bill No. 76).

A Bill, "An Act To Amend
The Education (Teachers' Pensions) Act". (Bill No. 87).

A Bill, "An Act Respecting
An Increase Of Certain Pensions For Transferred
Employees". (Bill No. 77).

A Bill, "An Act To Amend
The Public Service (Pensions) Act". (Bill No. 67).

A Bill, "An Act To Amend
Certain Taxation Statutes, 1981". (Bill No. 95).

A Bill, "An Act To Amend
The Assignment Of Books Debts Act". (Bill No. 97).

A Bill, "An Act To Amend
The Registration Of Deeds Act". (Bill No. 96).

A Bill, "An Act To Amend
The City Of St. John's (Loan) Act, 1978". (Bill No. 93).

A Bill, "An Act To Amend
The St. John's Assessment Act". (Bill No. 92).

MR. SPEAKER(Butt):

The hon. the President of
the Council.

MR. MARSHALL:

Mr. Speaker, that concludes
third readings. However, does the Chair require a few
moments before His Honour is asked to come into the Assembly
for the purpose of organizing?

MR. SPEAKER:

No.

MR. MARSHALL:

You are already, are you?

MR. SPEAKER:

Yes.

SERGEANT-AT-ARMS: Mr. Speaker, His Honour,
The Lieutenant-Governor has arrived.

MR. SPEAKER(Butt): Admit His Honour, The
Lieutenant-Governor.

All rise, please!

Your Honour, it is my
agreeable duty on behalf of Her Majesty's dutiful and
loyal subjects, Her Faithful Commons in Newfoundland,
to present to Your Honour with a bill for the appropriation
of Supply granted in the present Session.

A Bill, "An Act For
Granting To Her Majesty Certain Sums Of Money For Defraying
Certain Expenses OF The Public Service For The Financial
Year Ending The Thirty-First Day Of March One Thousand Nine
Hundred And Eighty-One And For Other Purposes Relating To
The Public Service". (Bill No. 80).

HON. W.A.PADDON(Lieutenant-Governor): In Her Majesty's
Name, I thank you for your benevolence, and I assent to
this bill.

MR. SPEAKER: May it please Your Honour,
the General Assembly of the Province has at its present
Session passed certain Bills, to which, in the name and on
behalf of the General Assembly, I respectfully request
Your Honour's Assent.

A Bill, "An Act Respecting
The Award Of Medals To Veterans Of The Province Who
Volunteered To Serve In The British Imperial Forces During
The Second World War". (Bill No. 90).

A Bill, "An Act To Amend
The Gasoline Tax Act, 1978". (Bill No. 86).

A Bill, "An Act To Authorize
The Raising Of Money By Way Of Loan By The Province".
(Bill No. 73).

A Bill, "An Act To Amend
The Local Guarantee Act, 1957". (Bill No. 78).

A Bill, "An Act To Amend
The Assessment Act". (Bill No. 39).

A Bill, "An Act To Amend
The Electrical Power Control Act". (Bill No. 17).

A Bill, "An Act To Amend
The Department Of Mines And Energy Act, 1973". (Bill No. 20).

A Bill, "An Act Respecting
The Newfoundland Association Of Optometrists And Governing
The Practice Of Optometry In The Province". (Bill No. 48).

A Bill, "An Act To Amend
The Human Tissue Act, 1971". (Bill No. 38).

A Bill, "An Act Respecting
Denturists". (Bill No. 49).

A Bill, "An Act To Amend
The Embalmers And Funeral Directors Act, 1975". (Bill No. 37).

A Bill, "An Act To Amend
The Medical Act, 1974". (Bill No. 14).

A Bill, "An Act To Amend
The Hospitals Act, 1971". (Bill No. 13).

A Bill, "An Act Respecting
Dispensing Opticians". (Bill No. 21).

A Bill, "An Act To Amend
The Timber Scalers Act". (Bill No. 12).

A Bill, "An Act To Amend
The Municipalities Act". (Bill No. 44).

A Bill, "An Act To Amend
The St. John's Municipal Elections Act". (Bill No. 91).

A Bill, "An Act To Amend
The City Of St. John's Act". (Bill No. 43).

A Bill, "An Act To Amend
The Highway Traffic Act". (Bill No. 36).

A Bill, "An Act To Amend
The Motor Carrier Act". (Bill No. 25).

A Bill, "An Act To Amend
The Highway Traffic Act To Provide For The Compulsory Use
Of Seat Belts". (Bill No. 45).

A Bill, "An Act To Amend
The Child Welfare Act, 1972". (Bill No. 34).

A Bill, "An Act To Amend
The Fishing Industry Advisory Board Act, 1975". (Bill No. 11).

A Bill, "An Act To Amend
The Co-operative Societies Act". (Bill No. 30).

A Bill, "An Act To Amend
The Department Of Rural, Agricultural And Northern Development
Act". (Bill No. 33).

A Bill, "An Act To Amend
The Department Of Public Works And Services Act, 1973 With
Respect To Government Printing". (Bill No. 32).

A Bill, "An Act To Amend
The Fire Prevention Act". (Bill No. 5).

A Bill, "An Act To Provide
For Certain Rights For Blind Persons". (Bill No. 62).

A Bill, "An Act To Ratify,
Confirm And Adopt An Amending Agreement Entered Into Between
Government And Lower Churchill Development Corporation
Limited". (Bill No. 69).

A Bill, "An Act To Amend
The Newfoundland And Labrador Hydro Act, 1975". (Bill No. 74).

A Bill, "An Act To Amend
The Labrador Lands (Reservation) Act". (Bill No. 65).

A Bill, "An Act To Amend
The Judicature Act". (Bill No. 75).

A Bill, "An Act To Amend
The Fishing Ships (Bounties) Act". (Bill No. 83).

A Bill, "An Act To Amend
The Members Of The House Of Assembly (Retiring Allowances)
Act". (Bill No. 84).

A Bill, "An Act Respecting
An Increase Of Certain Pensions". (Bill No. 76).

A Bill, "An Act To Amend
The Education (Teachers' Pensions) Act". (Bill No. 87).

A Bill, "An Act Respecting
An Increase Of Certain Pensions For Transferred Employees".
(Bill No. 77).

A Bill, "An Act To Amend
The Public Service (Pensions) Act". (Bill No. 67).

A Bill, "An Act To Amend
Certain Taxation Statutes, 1981". (Bill No. 95).

A Bill, "An Act To Amend
The Assignment Of Book Debts Act". (Bill No. 97).

A Bill, "An Act To Amend
The Registration Of Deeds Act". (Bill No. 96).

A Bill, "An Act To Amend
The City Of St. John's (Loan) Act, 1978". (Bill No. 93).

A Bill, "An Act To Amend
The City Of St. John's Assessment Act". (No. 92).

HON. W.A.PADDON (Lieutenant-Governor): In Her Majesty's
Name, I give Assent to these Bills.

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

MR. MARSHALL: Mr. Speaker, before I move the adjournment I would like to thank all hon. members for their co-operation today and wish them well for the rest of the Summer vacation.

Now, Mr. Speaker, I move that when this House adjourns today it stand adjourned until tomorrow, Thursday, November 12, 1981 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.

MR. SPEAKER: Before putting the question, I would like to read a memo from His Honour, Mr. Speaker Simms to the House and it is as follows: "Before adjourning I would like on behalf of all hon. members to express appreciation to all who have assisted during this session of the House. In particular I point out the Sergeant-at-Arms, Mr. Hemmens, who will be retiring today. Good luck in your retirement, Mr. Hemmens. We wish him well in his retirement and again thank him for his service to the House of Assembly.

As well to all the staff of the House, the Clerks and officers at the table, the pages, tape and sound operators, the staff in both the Speaker's office and Clerks office, the duty constables the commissioners, the staff of government and Opposition offices, the Legislative Librarian and her staff, the

MR. SPEAKER(Butt): Editor and Staff of Hansard and in particular the Hansard typists who had a very difficult task I know.

And finally the members of the Newfoundland and Labrador Press Gallery and anyone else whom I might have missed. All members, I am sure, would like to thank those people for their assistance and co-operation.

And if I might finally thank all members of the House for their co-operation to the staff and myself personally, and in particular for their patience and understanding with respect to the Chair's rulings. It has helped to make my job a little easier and in appreciation, of course, there will be a little token for everyone which can be obtained from my office on adjournment.

HON. MEMBERS:

Hear, hear!

On motion, the House at its rising adjourned until tomorrow, Thursday, November 12, 1981 at 3:00 p.m.