



PROVINCE OF NEWFOUNDLAND

**THIRTY-SEVENTH GENERAL ASSEMBLY
OF
NEWFOUNDLAND**

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VERBATIM REPORT

FRIDAY, JUNE 11, 1976

SPEAKER: THE HONOURABLE GERALD RYAN OTTENHEIMER

The House met at 12:00 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

In behalf of all hon. members I wish to welcome to the House of Assembly a number of students, twenty-five students, from Grade VII, from St. Regis School in Fox Harbour, accompanied by their teachers, Mrs. Mary King and Mrs. Mary Murray. I know all hon. members join me in welcoming these students to the House of Assembly.

SOME HON. MEMBERS: Hear, Hear!

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

MR. SPEAKER: Admit His Honour, the Lieutenant-Governor.

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 bills for the appropriation of Supply and Supplementary Supply granted in the present session.

HONOURABLE GORDON A. WINTER (Lieutenant-Governor): In Her Majesty's name, I thank Her loyal subjects, I accept their benevolence and I assent to these bills.

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 Seventy-Six And For Other Purposes Relating To The Public Service." (Bill No. 44).

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 Seventy-Seven And For Other Purposes Relating To The Public Service." (Bill No. 56).

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

A bill, "An Act To Adopt A Mineral Emblem For The Province." (Bill No. 2)

A bill, "An Act Respecting The Keeping Of Dogs." (Bill No.7).

A bill, "An Act To Repeal The Newfoundland Agricultural Marketing Act." (Bill No. 13)

A bill, "An Act To Provide Retiring Allowances On A Contributory Basis To Persons Who Have Served As Members Of The House Of Assembly." (Bill No. 14).

A bill, "An Act Further To Amend The Child Welfare Act, 1972." (Bill No. 17).

A bill, "An Act Further To Amend The Medical Act." (Bill No. 18)

A bill, "An Act To Amend The Development Areas (Lands) Act," (Bill No. 19).

A bill, "An Act Further To Amend The Quieting Of Titles Act." (Bill No. 20).

A bill, "An Act Further To Amend The Crown Lands Act." (Bill No. 21).

A bill, "An Act To Amend The Pharmaceutical Association Act." (Bill No. 22).

A bill, "An Act Further To Amend The Women's Patriotic Trust Fund Act, 1920." (Bill No. 24).

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

A bill, "An Act To Enable Extra-Provincial Custody Orders To Be Enforced In The Province Of Newfoundland." (Bill No. 26).

A bill, "An Act To Amend The Prisons Act." (Bill No. 27).

A bill, "An Act To Amend The Evidence Act." (Bill No. 28).

A bill, "An Act To Amend The Gasoline Tax Act." (Bill No. 29).

A bill, "An Act To Amend The Income Tax Act." (Bill No. 30).

A bill, "An Act To Amend The District Courts Act." (Bill No. 32).

A bill, "An Act To Amend The City Of Corner Brook Act." (Bill No. 33).

A bill, "An Act To Amend The Local Government (Election) Act." (Bill No. 34).

A bill, "An Act To Amend The Community Councils Act, 1972." (Bill No. 35).

A bill, "An Act Respecting The Adoption Of The Uniform Inter-provincial Subpoena In This Province." (Bill No. 36).

A bill, "An Act To Establish The Newfoundland And Labrador Youth Commission." (Bill No. 37).

A bill, "An Act To Amend The Local Guarantee Act, 1957." (Bill No. 38).

A bill, "An Act To Amend The Registration Of Deeds Act." (Bill No. 40).

A bill, "An Act Respecting Queen's Counsel And Precedence At The Bar." (Bill No. 41).

A bill, "An Act To Amend The Department Of Transportation And Communications Act." (Bill No. 43).

A bill, "An Act To Authorize The Raising Of Money By Way Of Loan By The Province." (Bill No. 45).

A bill, "An Act For The Avoidance Of Uncertainty Concerning Certain Judgements Issuing Out Of The Supreme Court Of Newfoundland." (Bill No. 46).

A bill, "An Act To Amend The Workmen's Compensation Act." (Bill No. 47).

A bill, "An Act To Amend The Liquor Corporation Act." (Bill No. 49).

A bill, "An Act Respecting The Acquisition Of Rights To Minerals In The Province (Bill No. 50).

A bill, "An Act Respecting The Acquisition Of Rights To Quarry Materials Within The Province." (Bill No. 51).

A bill, "An Act To Amend The Mining And Mineral Rights Tax Act." (Bill No. 52).

A bill, "An Act To Amend The Companies Act." (Bill No. 53).

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

A bill, "An Act To Register Mortgage Brokers And To Control The Amount Of Bonuses To Be Charged By Mortgage Brokers And Mortgage Lenders." (Bill No. 55).

A bill, "An Act Further To Amend The Newfoundland Medical Care Insurance Act." (Bill No. 58).

A bill, "An Act To Ratify, Confirm And Adopt An Agreement Made Between The Government And the Government Of Canada Respecting Price And Income Controls." (Bill No. 59).

A bill, "An Act Further To Amend The Urban And Rural Planning Act." (Bill No. 60).

A bill, "An Act To Amend The Livestock (Community Sales) Act." (Bill No. 61).

A bill, "An Act Respecting The Retirement Of Magistrates." (Bill No. 62).

A bill, "An Act To Amend The Public Utilities Act." (Bill No. 63).

A bill, "An Act To Remove Anomalies And Errors In The Statute Law." (Bill No. 64).

A bill, "An Act To Style The Department Of Provincial Affairs And Environment As The Department Of Consumer Affairs And Environment." (Bill No. 65).

A bill, "An Act To Strengthen Security Measures In Respect Of Private Property." (Bill No. 66).

A bill, "An Act Further To Amend The Newfoundland Municipal Financing Corporation Act." (Bill No. 67).

A bill, "An Act To Amend The Forest Fires Act." (Bill No. 68).

A bill, "An Act To Amend The Stephenville Linerboard Mill (Agreement) Act, 1972." (Bill No. 69).

A bill, "An Act To Amend The Waste Material (Disposal) Act." (Bill No. 70).

A bill, "An Act To Amend The Local School Tax Act." (Bill No. 71).

A bill, "An Act Further To Amend The Newfoundland Industrial Development Corporation Act." (Bill No. 72).

A bill, "An Act Further To Amend The Agreement Ratified, Confirmed And Adopted By And Set Forth In The Schedule To The Commodore Mining Company Limited (Agreement) Act, 1968, And To Make Certain Statutory Provisions Relating To That Agreement." (Bill No. 74).

A bill, "An Act To Amend The Local Government Act, 1972."
(Bill No. 78).

A bill, "An Act To Amend The Tobacco Tax Act." (Bill No. 79).

A bill, "An Act To Repeal And Replace The Districts Courts
Act. (Bill No. 80).

A bill, "An Act To Amend The Assessment Tax Act (No.2).
(Bill No. 81).

A bill, "An Act To Amend The Co-operative Societies Act."
(Bill No. 83).

A bill, "An Act To Amend The City Of St. John's Act."
(Bill No. 84).

A bill, "An Act Respecting The High Sheriff Of Newfoundland
And The High Office Of High Sheriff." (Bill No. 85).

A bill, "An Act Further To Amend The Loan And Guarantee
Act, 1957." (Bill No. 86).

A bill, "An Act To Amend The Wild Life Act." (Bill No. 88).

A bill, "An Act To Amend The Highway Traffic Act." (Bill No.90).

A bill, "An Act To Amend The Financial Administration Act,
1973." (Bill No. 91).

HONOURABLE GORDON A. WINTER (Lieutenant-Governor): In Her
Majesty's name, I assent to these bills.

MR. SPEAKER: The hon. Minister without Portfolio.

MR. WELLS: Mr. Speaker, I move that this House do now adjourn and that when it adjourns today it will stand adjourned until Thursday, November 11 at three o'clock in the afternoon 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 ministers meet at an earlier time than the adjournment 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 date and that this House do now adjourn.

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

MR. ROBERTS: Mr. Speaker, before we adjourn perhaps I might be permitted to say a word or two on behalf of I am sure all of us on this side of the House to say how much we have appreciated, Sir, and admired the way in which this session has been carried out. Your Honour and Your Honour's colleagues in the Chair, particularly the gentleman from St. John's South (Dr. Collins) and the gentleman from Harbour Grace (Mr. Young) I think have conducted yourselves if it is not presumptuous of me to say so, Sir, in an admirable fashion under sometimes trying circumstances. And I say that, Sir, as somebody who at times has been involved in those trying circumstances in what I consider to be the discharge of my duties.

But I do feel, Sir, that the conduct of the Chair in this session, Sir, has been of the highest traditions of this House and of the parliamentary system and has enhanced those traditions. I would not want to let the session go without taking the opportunity to say so.

I would also like to say, Sir, - and I know I speak particularly for my colleague, our House Leader, the member for Trinity Bay de Verde (Mr. F. Rowe) - we have very much appreciated the way in which the government approached the business of the House. I hope we can improve it still further and I would hope that the Standing Committee will meet over the Summer and have a look at some of the

MR. ROBERTS:

problems that have emerged in an effort to see if we can improve the functioning of this House.

Let me also say a word of appreciation on behalf of my colleagues to the Minister of Public Works and his colleagues for the way in which they have arranged adequate accommodation. There are those who feel that it is more than adequate although I am not one of those. But I think I speak for all of the private members on both sides, members supporting the government and members supporting the Opposition, Sir, when I say that they are deeply grateful. It will enable members better to discharge their duties and thus better to serve the people who have sent them here and that surely is the important thing, Sir. I think this is the first time in the history of this Legislature of the 150 years that this House has been in existence that the needs of private members have been adequately recognized and I want to pay a well-deserved tribute, Sir, to the minister, to his colleague, the Minister of Forestry and Agriculture who acted in the minister's absence and to their officials. Sir, I think they have served us well.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Twillingate.

MR. SMALLWOOD: Mr. Speaker, I should like to adopt the words of the Leader of the Opposition as my own and I certainly endorse them and I agree thoroughly. I would like to add the observation that my own experience of this House which goes back a long time, long before Confederation, long before, long before Commission of Government, my own experience of the House tells me that at no time perhaps in the present century has the Chair as occupied by Your Honour and by the Deputy Speaker and by the assistant Deputy Speaker if that is his correct title, the hon. gentleman from Harbour Grace (Mr. Young) been more honourably and acceptably conducted. The Leader of the Opposition says it is in the highest tradition. It is almost higher than the highest tradition because the highest tradition in the past has not

MR. SMALLWOOD:

been all that high on occasion with some of the occupants of the Chair.

But as I forecast on opening day in this session you, Your Honour, have established a very, very high standard indeed and the other two hon. members who are your deputies have been exemplary in every way. I think as a House whatever foolish things we do - and all Houses do foolish things including the Mother of Parliaments -

MR. SMALLWOOD: Houses do foolish things including the Mother of Parliaments.

MR. NEARY: We have not swung the mace at anybody yet.

MR. SMALLWOOD: No one yet has seized that beautiful mace and brandished it over his head. No matter what foolish things a House does, and we all do foolish things, this session has been conducted in perhaps the most orderly way that I have ever known it to be done and the congratulations of the House are due you, Your Honour, and your two deputies and to all of us. I think we all deserve a little praise and a little commendation for our very good behaviour. We have acted as good boys in this session. I hope we will continue to do so.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for LePoile.

MR. NEARY: Mr. Speaker, I would not want the House to close without saying a word of appreciation to the gentlemen who sit in the centre of the floor of the House, the Law Clerk, and the Clerks of the House -

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: - who in my opinion, Sir, this session have done a magnificent job and I would also like to pay tribute to the Editor of Debates and the staff of the Hansard Office who work a tremendous amount of overtime when the House is sitting, Mr. Speaker, they deserve a great deal of credit. And not forgetting our two friends the policemen who have stood by us in thick and thin outside of the door, and the gentleman who turns on the switch in the control booth that turns on the microphones who have been with us night and day. And, Mr. Speaker, it never ceases to amaze me how the stamina that the hon. Sergeant-at-Arms in this House has.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: It does not make any difference what hour in the day or night, Sir, the Sergeant-at-Arms is the only gentleman in this

MR. NEARY: House who never changes. He is just as straight and just as militant at four o'clock in the morning as he is at four o'clock in the afternoon. And here we are, us old codgers, ready to cave in and the Sergeant-at-Arms parades up and down just as straight and the people in the galleries I am sure are impressed with our Sergeant-at-Arms.

Sir, before I take my seat I hope, Mr. Speaker that the people who have had to work all the overtime in this hon. House in this session will be amply rewarded and, Sir, I do not want to forget my dear friends in the press who have been with us night and day, who have worked like trojans during this session of the House. They have come in for their share of criticism as usual from certain hon. members who felt that they were done an injustice by the press. But I have nothing but words of praise for the members of the working press who, in my opinion, Sir, are overworked and underpaid. And I want to say a great big thank you to the press because without them, Mr. Speaker, the people of this Province would not know what is happening in the people's House, what goes on, the information would not get out to the people and I want to say a great big thank you to the members of the working press who have been so loyal and with us since the beginning of this session.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister without Portfolio.

MR. WELLS: Mr. Speaker, I have to firstly amend my motion of adjournment to the twelfth rather than the eleventh. I had forgotten but the eleventh is one of the few statutory holiday that is actually observed on the day itself.

Mr. Speaker, before we leave the Chamber I would like to extend my, particularly from the position I have occupied in this House this session, my appreciation and congratulations to Your Honour and to Your Honour's deputies and the Clerks at the table and other servants of the House for the exemplary and

MR. WELLS: fair way in which the proceedings have been conducted and I feel that this House has risen and the standard has been excellent and I think all members were pleased and appreciative of the way that Your Honour and all those who come under Your Honour's jurisdiction have conducted themselves and the business of the House. And we too, Sir, on this side wish to express our appreciation to you and to the others as I say, who come under your jurisdiction.

MR. NEARY: Do not forget the page boys for getting you a drink of water.

MR. WELLS: That is true enough. All the, as I put it, the servants of the House certainly deserve our appreciation and vote of thanks.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: On my own behalf and on behalf of the other hon. members who have presided over meetings of the House and the Committee I wish to thank hon. members for their kind words and to thank them as well for their co-operation during this session and I know the officers and staff of the House, the Sergeant-at-Arms, the Clerk and his associates, Hansard and all who are involved in the work of the Legislature would wish me to thank, on their behalf, hon members for their appreciation, their co-operation and their kind words today.

The motion before the Chair is that it is moved and seconded that when this House adjourns today it will stand adjourned until Friday, November 12th. at 3:00 P.M., provided always that if it appears to the satisfaction of the Speaker, or in the case of his absence from the Province the Chairman of Committees, after consultation with Her Majesty's Ministers, advisable to meet at an earlier time than that of adjournment, 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. Those in favour, aye, contrary nay, carried.

This House stands adjourned until Friday, November 12th., at 3:00 P.M.