

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
3:00 p.m. - 6:00 p.m.  
MONDAY, DECEMBER 10, 1979

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms):

Order, please!

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MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, before we get into Statements by Ministers, on behalf of the government and people of Newfoundland and Labrador I would like to acknowledge with deep regret the death of one of Newfoundland's most distinguished sons, Captain Leonard P. Stick, of Bay Roberts. His tremendous loyalty, his strength of character, his wide-ranging ability signify the contributions which he made in the military, politics and in private life.

Captain Stick was born in St. John's on February 7th., 1892, was educated at the old Methodist College in the City. In his early days he was an ardent sportsman and played on football teams and hockey teams, including the old Crescent hockey team.

His business career began with the Bank of Nova Scotia in St. John's, but this was interrupted with World War I. In fact, at the outbreak of the war he was the first of three brothers to enlist in the Royal Newfoundland Regiment, and had the distinction of being Regimental Number one, of the famous Blue Puttees. He served the regiment three years and saw service in Gallipoli, Egypt, and France. He was wounded in the July Drive. After leaving hospital in Scotland, he took an officer training course and received the rank of captain. He went to India in 1917, and served as an officer on the Afghanistan Boarder and the Kyber Pass. In 1919 he was sent to India where he served in the Indian Army Reserve.

After his war service, he returned to Newfoundland and worked in various businesses. In 1936, when the Newfoundland Ranger Force was formed, he was

PREMIER PECKFORD: made first commanding officer. He served in the ranger force for three years, then entered private business. He began a wholesale business in Coley's Point, and later moved to Bay Roberts where he became Manager of Bay Roberts Fisheries.

Captain Stick had a keen interest in the political life of this Province and he carried this interest to elected politics. Immediately following Confederation in 1949, Captain Stick was elected to the riding of Trinity-Conception, one of this Province's first members of Parliament. He served in the House of Commons for eleven years under Prime Ministers Louis St. Laurent, and Lester Pearson. In 1954 he was a member of the Parliamentary Delegation to Nairobi, Kenya, and served on a number of parliamentary committees. Captain Stick was active in a number of fraternal organizations, most notably the Loyal Orange Lodge of Newfoundland, which he served as Grand Master. In 1948 he was made an honorary past Grand Master of the Grand Orange Lodge of British America, now Canada.

Captain Stick died on Friday, December 7, 1979 at his home in Bay Roberts at the age of eighty-seven. Captain Stick leaves to mourn his wife, Hilda, two daughters and one son.

Mr. Speaker, I take great pride in recognizing the outstanding contribution of this most distinguished Newfoundlander, and I am sure I speak for all members of this hon. House in extending to his wife and family sincere sympathy on this occasion.

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

MR. JAMIESON: Mr. Speaker, I, of course, welcome the opportunity to join myself and my colleagues in this tribute to a very distinguished Newfoundlander. Without repeating all of the biographical notes which the hon. the Premier has quite properly included in his tribute, I think it is clear if we are today mourning the passing of a truly outstanding and quite remarkable son of this Province. It is rather difficult to know what portion of Captain Stick's life to highlight on an occasion such as this. Perhaps the most important, since everything else in a sense flows from our freedom and our preservation of liberty, is his distinguished career in the Royal Newfoundland Regiment. I do not know if any of us would want to carry a greater honour than the fact that we were number one in terms of the volunteers who offered and who did, in fact, go overseas in the First World War. Everything after that, it would seem to me, and I happen to know this from a long association with Captain Stick, really was secondary, that in his own way he prided himself on that honour more than all of the others that came to him over the years.

I think perhaps also this might be an appropriate point at which to ponder on the value of life and also on the amount of help, vital assistance, that has come to us in Newfoundland and has probably contributed more to our survival than anything else from what might be described as ordinary citizens behaving in a most extraordinary and generous way, that we tend to forget, and it is a matter of regret, I suppose, that for people on the sunny side of, let us say fifty years of age or so, except for those who are in public life, there is probably today very little awareness of how much we owe to people like Captain Stick, for not only, for instance, having carried the battle of Confederation, having sat in the House of Commons during that first memorable session, but all the things that went before and all of the things that came after.

So, Mr. Speaker, this is not only an opportunity for us to recall this one particular man's contribution, but to reinforce our own sense of commitment and not to allow those

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Mr. Jamieson:            who have helped our Province and our  
country to go unnoticed and to go unremembered. When a man reaches  
the ripe old age of 87, one, I suppose, has to anticipate and to  
expect, as I am sure he did, that his days were numbered. And this  
day in joining the Premier and

MP. JAMIESON: members opposite in this tribute, I would say to you, Sir, and through you to the House and to the people of Newfoundland, that while naturally we mourn Captain Stick's passing, at the same time we give thanks for this very full life in the service of his Province and his country.

SOME HON. MEMBERS: Hear, hear!

MP. SPEAKER: (Sings) Order, please!

STATEMENTS BY MINISTERS

MP. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, there are two functions I would like to perform right now. Mr. Speaker, one is to issue a Ministerial Statement and the other is to table, if I am permitted, a copy of a statement that was released from my office this morning relative to the whole Northern cod situation. So I will not take up the time of hon. members but ensure that they have copies.

MP. ROBERTS: Is this the statement of Mr. Martin -

PREMIER PECKFORD: And Mr. Slade, yes, because I thought that hon. members should have a copy of it in the House, so perhaps I should table those first. There are some copies which I would ask the page to give to the Leader of the Opposition and the Opposition House Leader and then respective members on the opposite side as far as they go and get copies taken off for all other hon. members. I think it is extremely important because I view the information in this statement as being most valuable and very crucial to the kind of position that obviously this hon. House is taking on this matter. So I will just table that and take no other time on it, simply to say that -

MP. NEAPY: (Inaudible) the statement.

PREMIER PECKFORD: Well, I do not have a copy of them and they did not provide me with copies. Suffice it to say that I have provided them and everybody else dealing with the federal government with copies of this particular statement that I am now tabling. But I will let that stand for itself and it can stand for itself in absolute, relative and every other term possible, the information and the data contained in there.

PREMIER BICKFORD:

There is no question about that. I will leave that to hon. members own judgement, simply to say my own opinion on it. But to get on to the reason why I got up in the first place, Mr. Speaker, seeing that that important matter is out of the way, is to make a statement on the Fisheries Loan Board, which I know is of interest to all hon. members of the House and to fishermen around the Province.

On October 25th I announced government's intention to conduct a complete review of the operations and activities of the Fisheries Loan Board. To conduct this review, government appointed a special committee of senior officials from the Department of Fisheries, Finance, Industrial Development and Treasury Board under the Chairmanship of the Deputy Minister of Fisheries. Their mandate was to evaluate the financial position of the board and to recommend interim and long-term measures to put the board on a sound financial basis and to develop policies for the board consistent with the overall Fisheries policy of the government.

On October 31st, Cabinet approved the appointment of an interim board of directors of the Fisheries Loan Board consisting of officials from various government departments under the Chairmanship of Mr. Cliff Russell to assist the special committee in conducting the review and to direct day to day activities of the board. On December 4th, Cabinet received and discussed a progress report from the Special

PREMIER PECKFORD: Committee and I am now in a position to announce measures government will implement between now and March 31st when our final strategy will be in place.

As of today, government has committed \$24 million to the Fisheries Loan Board for the current fiscal year, 1979 - 1980.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: This compares with \$7 million for the last fiscal year, 1978 - 1979.

Even with this massive input of new capital, \$7 million last year, \$24 million this year, the Loan Board currently has on hand 766 applications for loans representing approximately \$34 million. This heavy demand for capital funds is a direct result of the resurgence of our fishing industry and the bright prospects which that industry holds for the future.

To meet this demand for funds, government is now investigating the feasibility of having the chartered banks provide capital for fisheries loans, particularly the larger loans. Under such a programme, government would subsidize interest rates so that fishermen would get loans at the same rate as from the Loan Board. Negotiations with the chartered banks are progressing very favourably, and I expect to be in a position to make a further announcement in this regard within a matter of weeks.

As members of this hon. House are aware, the provision of fishery loans and bounties for vessels and equipment is intimately linked with the prosperity and viability of the twenty-two shipyards around our Province. In addition, with our commitment to the inshore fishery, we cannot permit an interruption in our plans for the construction of inshore and middle distance fishing vessels, nor an interruption in the provision of funds for engines and equipment loans to enable fishermen already in the fishery to operate next season.

For these reasons, we have authorized the Fisheries Loan Board to finance the immediate construction of twenty



PREMIER PECKFORD: vessels in the forty-five foot to sixty-five foot range and to consider existing applications for the purchase of engines and electronic and hydraulic equipment.

These vessels will be built and equipped under the following terms and conditions: 1) the vessels must be between forty-five and sixty-five feet in overall length; 2) the vessels must be of wooden construction; 3) the vessels must be built in Newfoundland shipyards; 4) only fishermen who have qualified for federal subsidy will be considered; 5) the downpayment is to be 10 per cent of the overall cost for vessels and 15 per cent for engines and equipment; 6) interest will be charged at the rate of 6 per cent per annum, both during construction and after completion and documentation of the vessel; 7) vessel insurance will be paid by the fisherman; 8) the loans will be made for a ten year period with the first payment of principal interest due one year after completion and documentation of the vessel or the final payment on engine or equipment.

Mr. Martin White of the Fisheries Loan Board has been designated as the contact for fishermen eligible under the terms and conditions of this programme.

PREMIER PECKFORD: Mr. Speaker, I also expect to be in a position shortly to announce the appointment of a new Chairman of the Fisheries Loan Board as well as a new financial officer to be designated comptroller of the board.

These officials, together with the interim Board of Directors and the Special Committee, will finalize the current review and present Cabinet with the final report in time for the Fisheries Loan Board to be reconstituted and be ready to go at the start of the new fiscal year.

Mr. Speaker, these actions demonstrate this government's deep commitment to the development of our fishery, particularly the inshore fishery, and our belief that the industry has reached a point where greater involvement by private enterprise is welcomed and indeed desirable. Thank you very much.

SOME HON. MEMBERS: Hear, hear.

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

MR. D. JAMIESON: Mr. Speaker, it is, of course, extremely difficult to comment in detail on a statement just having been received when it has so much complexity in it. I have only had the opportunity over these last two or three minutes to look it over. The Premier sent it over prior to making the announcement, but no chance for me to consult with authorities and various other people with regard to the contents of the statement itself.

I certainly feel, first of all, that it clearly and unmistakably demonstrates that whatever the rhetoric may be in the first part of this statement with regard to the growth and the demand and so forth, that this side and others outside this House have been correct in saying that unquestionably the Fisheries Board for some time now has been in a mess. There is no question about that and indeed many members opposite know that to be the case as well. And there is nothing in this statement, so far as I can see, other than a commitment by the Premier to move ahead rapidly with giving us a long term plan which indicates what the government proposes to do with regard to tidying up what clearly and unmistakably was a most

MR. D. JAMIESON: unhappy situation, to say the very least.

Now, if I, in the few moments I have had to peruse this statement, am correct, what is really involved here essentially is a mere commitment to twenty vessels in the forty-five to sixty-five foot range. That is the only thing that is clear and unmistakable and unqualified in this particular statement. In other words, what the government has apparently done is decide that out of that enormous number of applicants now either approved, and I gather a lot of them are actually and formally approved before, that some how or other twenty are going to be picked out in the immediate future in order to get some kind of help, what that does for the remaining 746 applications, if my arithmetic is correct, at this moment in time, is not clear from this statement other than I presume that they must wait. And I do not envy the gentleman, Mr. Martin White, who has been designated as the contact fisherman eligible under the terms and conditions of this programme in trying to figure out how he is going to choose those twenty out of 766. It may be, incidentally, that the number is not 766 if one

MR. D. JAMIESON: confines it to the forty-five to sixty five foot length. But in any event, it is obviously considerably more than twenty. To the extent of course that these twenty will provide help and construction aid for shipyards around the Province, it is welcome. I am not at all certain, by the way, although I can understand the principle, that the concept of the vessels being built in Newfoundland shipyards, whether that is going to be in the present scheme of things satisfactory to some of the fishermen, because I understand that there is a wide gap, which, I believe, the government or some spokesmen for the government have acknowledged from time to time between prices in this Province and elsewhere, and so I am not at all certain that this kind of assistance, and the confinement of it to Newfoundland shipyards, is going to be to the advantage of fishermen but I will leave that for a later time to assess.

I also want to say, and I remember your admonition, Mr. Speaker, about keeping my remarks relatively limited, I do want to say that I think this House certainly ought to have the opportunity to debate the final paragraph in this statement when the plan comes to fruition where the industry has reached the point where greater involvement by private enterprise is welcomed and indeed desirable. And that of course, is linked to the earlier part of the statement, which indicates that there is going to be a shift from the Board doing the actual financing to the chartered banks doing it under some kind of subsidized interest rates. I am not at all certain how this is going to gel with regard to the Board's decision as to whether an application is appropriate as opposed to that of some stony-eyed or some really hard nosed bank manager deciding whether it is an appropriate basis for a loan or not.

But in summary, Mr. Speaker, I think the Premier has made a small and, I emphasize, very small move towards resolving a thoroughly untidy and messy situation. And whatever hon. gentlemen and ladies opposite may say with regard to the last year or so and the growth in demand, that in itself is welcome, but the mere fact that it was not anticipated, the mere fact that we got ourselves into this incredible snarl as a result, I am quite certain, of mismanagement and failure to handle the matter properly, I think is an indication that the review is not only essential but that I hope that the Premier and his colleagues will move on

MR. D. JAMIESON: with it as fast as possible because there is still clearly a great deal of uncertainty left among fishermen as to where they are going to go from here.

SOME HON. MEMBERS: hear, hear!

MR. SPEAKER: (SIMMS) Any further statements?

ORAL QUESTIONS

MR. SPEAKER: (SIMMS) the hon. the Leader of the Opposition.

MR. D. JAMIESON: Mr. Speaker, things are moving so rapidly today we do not whether we have time to catch our breath.

I have a question which I am going to, with his permission or yours, Sir, ask of the Premier although it may be that either the Minister of Municipal Affairs (Mr. Windsor) or some other minister may be more appropriate in answering it. I ask it of him because I am not sure if it is Intergovernmental or not. There are around this Province, as I understand it, a number of areas which have been developed as building lots, and I use my own constituency of Bellevue and Sunnyside as an example,

MR. JAMIESON: where there are, to my knowledge, seventy-five, I believe it is, building lots, none of which has moved because the price, as I understand it, is considerably higher than most people can afford. Since there are others in other parts of the Province, and since some federal agencies may be involved, and since, if I may be so bold as to say so, I have heard reports that the Premier is contemplating some reduction in the price of those, could I ask him (a) if that statement is correct, that some reduction in the price might be being examined, and secondly, what the government might have in mind to do with regard to getting these very useful and serviced building lots into the hands of home builders in various parts of the Province?

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

PREMIER PECKFORD: Let me reply just initially and let the Minister of Housing answer more substantively. I would just like to say, number one, that I am personally very aware of the situation, that the hon. the Leader of the Opposition puts forward. Of course, one of the reasons for the slow movement of the lots in his particular area has to do, perhaps, with the cost, but it also has to do with the lack of industrial activity which was anticipated at the time that the lots were developed.

MR. JAMIESON: All the more reason (inaudible).

MR. PECKFORD: Therefore, Come by Chance oil refinery - and need I say more as it relates to his area? - but there are many other areas of the Province involved as well and I am personally very aware of it and I will ask the Minister of Housing (Mr. Windsor) to respond in more detail and substantively because he is very close to it.

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

MR. WINDSOR: Yes, Mr. Speaker, let me, first of all, concur with what the Premier has already

MR. N. WINDSOR: indicated, that in many cases around this Province the lots were developed at the time because of either industrial developments that were being undertaken at the time, or were expected to occur. Obviously, you cannot wait until an industrial development is in place, you sometimes have to use a little bit of prediction to be prepared for development, particularly in the case of a Come-by-Chance, where it would appear that there would be a large work force either moving into the area or expected to move in, and, therefore, because there is such a long lead-time on housing developments you do sometimes have to use a great deal of judgement and it does not always pan out, particularly in the case of a Come-by-Chance or in the case of Stephenville, where the linerboard mill closed down, as the hon. gentleman is probably aware. That is another example where we have a large number of building lots sitting there unsold, very valuable land and a great deal of government money invested there.

We are very concerned about it, Mr. Speaker. Over the past few weeks, in particular, we have had a very detailed look at these situations as it relates to why they were put there in the beginning, why they are not selling, why the price, as compared with other building lots, is sometimes perceived to be high.

Let me first of all say that the corporation's mandate is to recover full cost.

MR. JAMIESON: The Newfoundland and Labrador Housing Corporation?

MR. WINDSOR: The Newfoundland and Labrador Housing Corporation, . full cost recovery basis without any profit built into it. There are a number of factors. These are federal/provincial agreements, in most cases, and you have interest charges and so forth building up on them. So to this point in time, because these lots have been sitting there,

MR. N. WINDSOR:

interest plays a very significant part in that particular price.

We are looking at ways and means now of disposing of the lots. I am not at liberty to say what the proposals might be or whether or not we will be reducing the lots or how, indeed, we may make them more attractive. In some cases, it is apparent now that economic situations are changing, that the demand is coming on, and Stephenville is one example where we had a large number of lots developed, where all of a sudden that industry closed down and the demand died for those particular lots. Now that industry is coming back to life, the demand is increasing for it. Nevertheless, the price in Stephenville at the moment is still probably a little higher than the market will bear. So we have to address that and we will be addressing it over the next couple of months, and, of course, with the Budget considerations for the coming year, if it is going to cost a lot of money to the Province, that is a major consideration. There would have to be a whole new major policy direction as it relates to housing.

I would also say that we are re-examining all housing policies - and I think I said this a couple of weeks ago - and as well, having discussions with the federal government; there is a federal/provincial conference hoped for early in the new year.

MR. JAMIESON:

Mr. Speaker, a supplementary.

MR. SPEAKER: (Simms)

The hon. the Leader of the Opposition.

MR. JAMIESON:

May I ask the minister if in either

case that was mentioned, Stephenville, or Sunnyside, the Come By Chance one, where does the authority rest in terms of making a decision about a change in price? Is it exclusively within the control of the provincial government to make that decision and to bend, as it were, the rule about the corporation recovering its full costs? And to save another question, perhaps I might couple that - because it is relative to the saving of money; - Is it not a fact that as long as the carrying charges and things of this nature are going on without the lots being utilized, that in fact it would be worthwhile to re-examine whether the government would not be better off



MR. JAMIESON: to dispose of these properties at considerably less than what they are asking now?

MR. SPEAKER: (Simms) The hon. the Minister of Municipal Affairs and Housing.

MR. N. WINDSOR: Yes, Mr. Speaker, exactly. That is exactly the situation. Where interest charges are going on, we have to examine which point in time it is better for us to cut our losses, as the hon. gentleman indicates. It may be just as well for us to sell them at a loss rather than keep the cost going up and the losses are just getting greater. And it is costing the Province money, of course, to finance these building lots all the way through.

Whether or not it is federal/provincial depends on how you look at it. It is federal/provincial, because they are federal/provincial cost shared. The federal government said, 'Here is how much we have put into it.' Any losses now obviously we are absorbing, or the corporation is absorbing. If the Province decided to write off some of the cost, then it is a provincial responsibility. If the federal government would agree to share in it, which they have not to this point in time, then it is a federal/provincial one. So it is a matter of negotiating with the federal government. But I would think that in the last instance, it will be the Province that will have to accept responsibility and deal with the particular aspect of whether or not to write off the losses.

MR. JAMIESON: One final supplementary for clarification.

MR. SPEAKER: One final supplementary, the hon. the Leader of the Opposition.

MR. JAMIESON: As I understand it, although the minister was, with respect, a bit confusing about the federal/provincial aspects, I take it that

Mr. Jamieson: what it boils down to is that the Provincial Government, his department, or the government, in general, can decide to sell for less but if that is the case then it must be the Provincial Government that would absorb whatever the additional cost or losses might be. Is that the situation? But the hon. minister can, in fact, decide tomorrow if he so wishes to reduce the price of those lots?

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

MR. WINDSOR: Yes, Mr. Speaker, we could. It is basically a loan through CMHC. If the interest is going on, the Province has to pay it. We could decide to cut it off at any point in time, if the government felt that is was a priority as it relates to budgetary considerations for us to do so.

What I indicated was that if the Federal Government would agree to share in that burden and subsequently accept their portion of the cost as well, then it would be a joint decision. But in the absence of -

AN HON. MEMBER: (Inaudible).

MR. WINDSOR: That is right. - in the absence of that, then the Province just might have to bite the bullet and take some measures ourselves.

MR. FLIGHT: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary question, followed by the hon. member for LaPoile.

MR. FLIGHT: Sir, I have a direct interest in this since as the minister knows that there are ninety-one, it is probably the largest in the Province, in the town of Windsor, ninety-one building lots serviced under this programme about four years ago and to date not one lot, not one, has been sold of the ninety-one lot subdivision. And what I wonder about here, Mr. Speaker, is the minister indicating that the policy in providing those lots in the first place was based on the desire or the possible economic development in the

MR. FLIGHT: given area. And as the minister knows that in Windsor's case for years they have been looking for the kind of industrial development that would make it possible to sell the lots and in this case the cart came before the horse, because they still deny the industrial development that would make those lots possibly attractive and saleable.

Well, what I have to ask the minister in the case of Windsor is that as he knows there is at least within a mile of a ninety-one lot subdivision developed by Newfoundland and Labrador Housing, of which he is now talking about reducing the cost which might well be the only answer, how about the private developers that have at least three private developments going and they are now a little higher than the ones in Windsor. In the event that the Province is forced into doing that kind of thing, how will they deal with the problems they are creating for the private developers that are in the immediate area developing and selling their lots?

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

MR. WINDSOR: Obviously, Mr. Speaker, if we were to develop building lots and sell them at a loss, which in other words is subsidizing the cost of those building lots by taxpayers' money, if we were to do that in an area where building lots were being developed by private developers at a higher cost, thereby undercutting private developers, I think it would be highly irresponsible on behalf of the government.

The situation in Windsor, however, was that - and the gentleman says it correctly - there are ninety-odd lots there none of which are sold. That is the second phase, the first phase of fifty-five lots sold very quickly. We were under great pressure from the citizens of Windsor and the Council itself to continue with a second phase, and we did, for some reason they have not sold. And quite frankly I am at a loss to explain why the second phase has not sold. At the same time, private developments in the area have sold

Mr. WINDSOR: but in some cases with these private developments the price has been lowered. You have to look at the level of servicing, too.

MR. FLIGHT: One final supplementary, Mr. Speaker.

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

MR. FLIGHT: I wonder, Mr. Speaker, if I could ask the minister, obviously he has given some consideration to the Sunnyside situation and to Stephenville and maybe others, but obviously in any discussions he has had or considerations his department has had with regard to the overall approach to lots that are not selling, lots that were indeed serviced by Newfoundland and Labrador Housing, certainly Windsor, the situation in Windsor must have been high on the priority of concern when you have a ninety-one lot subdivision in which no lots are selling. Would the minister at this time care to tell me or indicate to the House just what he proposes to do about the Windsor situation in view of the fact that there are indeed private developers within a mile of that particular development servicing lots based on the general pricing of lots developed by private enterprise? Just what is he proposing to do about the ninety-one lots in Windsor that have not been sold to date and show no indication right now that they will indeed start to sell?

MR. SPEAKER: Hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Speaker, the situation in Windsor is one we are concerned about but it is by no means unique and neither can we deal with it uniquely. Any policy that the government might set as it relates to disposal of existing building lots would have to apply, I think, universally. It would have to be a policy where we say to the corporation, "Here is the policy that we are now setting, that you may follow," and they should apply it equally.

MR. SPEAKER: A new question. The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I have a question for the Finance Minister, Sir. Back in 1978, in December, I believe, it was, Mr. Francis J. Ryan, C.C. was appointed liquidator to wind up the affairs of Labrador Linerbeard. Would the hon. minister indicate if Mr. Ryan has

MR. NEARY: completed his job of winding up the affairs of Labrador Linerboard?

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

DR. COLLINS: Mr. Speaker, I will take notice of that question and I will get whatever information is available for the hon. member as soon as possible.

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

MR. NEARY: Mr. Speaker, back in 1979 on a number of occasions I put a question to the hon. gentleman, the hon. Minister of Finance (Dr. Collins), about a company in Hamburg, Germany called Schurfeld and Company that were under contract with this government, with Labrador Linerboard, to market linerboard in Europe and when the liquidator was appointed, Messrs. Schurfeld and Company had held in a bank in Germany, I believe, somewhere between \$1.5 million or \$2 million belonging to the people of this Province. Would the hon. gentleman tell us what progress has been made in recovering this \$2 million that was frozen in a bank account in Hamburg, Germany that should have been paid over to Labrador Linerboard?

MR. SPEAKER: The hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, the hon. member, as he indicated some time ago, asked me a number of questions about Labrador Linerboard. All I can say at this stage is that I am awaiting my officials bringing forward the information he requested at that time. It was quite involved, what he asked, I am not sure what they will be able to bring forward, and I have inquired recently how they were getting on in that regard and I am informed that they will have something for me in the not too distant future. Now, whether this was

DR. J. COLLINS: included in that matter, I am uncertain, but if the hon. member will indicate that it was not included in his former question, I will add that to the information we are seeking.

MR. S. NEARY: Final supplementary, Mr. Speaker.

MR. SPEAKER: (Mr. Simms) Final supplementary, the hon. member for LaPoile.

MR. S. NEARY: Mr. Speaker, the hon. gentleman is quite right, I have asked a number of questions about Labrador Linerboard that I have not been able to get any information on. This particular matter, that I would consider to be a matter of urgent, public importance because it involves a substantial amount of money that the minister did not know anything about until I brought it to his attention- none of the ministers seemed to know about this company that had a contract, But I have not been able to get a copy of the contract; the minister, the government have refused to give it to me; the liquidator has refused to give me the contract and the company has refused to give me the contract. And I asked the minister to table the contract in the House and the hon. gentleman refused to do it so far, but as this is a matter of urgent, public importance, not an ordinary question, and I put it to the gentleman orally and on the Order Paper in writing several times, would the hon. gentleman tell me if he remembers anything about this matter that involves a company in Germany that had a contract to market Labrador Linerboard freezing \$2 million belonging to Labrador Linerboard and the people of this Province, refused to give it up and what is being done about it to recover this money?

MR. SPEAKER: The hon. Minister of Finance.

DR. J. COLLINS: Mr. Speaker, I can only deliberate that at this time I do not have any information that is germane to the hon. member's question but I will seek answers to the extent that such answers are available and to the extent that the information -

MR. S. NEARY: Well, the contract is available.

DR. J. COLLINS: - he is giving is accurate.

MR. S. NEARY: Can I not have a copy of the contract?

MR. SPEAKER: (Simms)

The hon. member for Grand Bank.

MR. S. NEARY:

Look, I am after writing a dozen memos and still can not get it.

MR. SPEAKER:

Order, please!

MR. L. THOMS:

Mr. Speaker, my question is to the Minister of Health (Mr. W. House). It has been some time now since the incident took place in the Waterford Hospital between the doctor and the patient, and I understand that the Hospital Board has completed its review. I was wondering if the hon. minister would tell me whether or not he plans to make the findings of that inquiry or that review public and what action, if any, if he knows what action, then would be taken at this time?

MR. SPEAKER:

The hon. Minister of Health.

MR. W. HOUSE:

Mr. Speaker, I have not got any official notification from the board that the review has been completed, nothing official. I have heard unofficially that the review is completed and I am awaiting a report and I have not, at this time, decided whether we will make it public or not. As a matter of fact, I do not think we could determine yet as to whether it is incumbent on the board to report but I am awaiting that report now.

MR. L. THOMS:

Supplementary, Mr. Speaker.

MR. SPEAKER:

Supplementary, the hon. member for Grand Bank.

MR. L. THOMS:

Off the record, Mr. Speaker, I was wondering if the minister could tell me whether or not there have been alternate arrangements for psychiatric care to the patients at the Waterford, also maybe to the inmates at the penitentiary?

MR. SPEAKER:

The hon. Minister of Health.

MR. W. HOUSE:

I am not totally aware of any names of the people involved in looking after the practices at the penitentiary and the Waterford, but I understand that there have been alternate arrangements and there are further discussions going on in trying to get supplementary, more personnel carrying on forensic medicine in the Waterford and at the penitentiary, but I do not have any information



MR. W. HOUSE: as to any names of people who are employed in place of Dr. Paulse now.

MR. L. THOMS: Supplementary, Mr. Speaker.

MR. SPEAKER: (Mr. Simms) Supplementary, the hon. member for Grand Bank.

MR. L. THOMS: I am not quite sure, Is the minister saying that, for example, at the penitentiary there has not been a doctor since the voluntary suspension of Dr. Paulse from that institution?

MR. S. NEARY: Dr. Paulse is still down there.

MR. W. HOUSE: I am saying that there had been alternate arrangements but I said I did not know the names of the people involved.

MR. SPEAKER: The hon. member for Eagle River.

MR. E. HISCOCK: I would like to direct my question to the Minister of Health. Could the Minister of Health advise this House the status of the medical clinic at Forteau and also if the plans are drawn up, and if the plans are drawn up, could we expect construction this year?

MR. SPEAKER: The hon. Minister of Health.

MR. W. HOUSE: Mr. Speaker, there has been a fair amount of activity with regard to plans for some clinics on the Labrador coast, but particularly the

MR. HOUSE: Northern part, and some of these are under construction at the present time. And there is one completed of course in Flowers Cove that we officially opened a couple of weeks ago.

MR. ROBERTS: It took three years to build.

MR. HOUSE: Well, it took three years to build but it was officially opened three weeks ago.

With respect to the Southern Labrador area, of immediate interest to the hon. member, there was no allocation for funding of any new construction in last year's budget. But it is a very high priority and we have been carrying on discussions with the International Grenfell Association on that. I do not think there is any hard and fast planning going on at the immediate time but certainly we have that placed as a high priority and it certainly will be discussed in terms of our five year plan. But I can advise the hon. member that there is no immediate activity going on now because we do not have money in the budget for it.

MR. SPEAKER (Simms): A supplementary, the hon. member for Eagle River.

MR. HISCOCK: Am I to understand that there is no money available in this year's budget, therefore the planning is not going ahead, and if there is any money going to be available it will be in next year's budget and that basically next year would be devoted to getting the plans for the clinic and probably the following year we could expect construction?

MR. SPEAKER: The hon. Minister of Health.

MR. HOUSE: Mr. Speaker, we are getting now into a lot of detail and, of course, I cannot answer. The hon. member knows that that would be a budgetary consideration. But I have written him on that matter and I think he was advised that we are very actively considering that particular facility because we think it is greatly needed there. But there was no money in last year's budget for it. And I do not know what I can say about next year's budget. Of course, we will know that when the budget comes down.

MR. HOUSE:  
is a very high priority.

But I want to advise that it

MR. SPEAKER (Simms):  
Mountains.

The hon. member for Torngat

MR. WARREN:  
to the Minister of Health.

A supplementary, Mr. Speaker,

MR. SPEAKER:

A supplementary.

MR. WARREN: It is in reference to a letter I wrote to the minister some two months ago concerning a nursing clinic at Hopedale in Labrador. In this clinic there is one small ward, approximately twelve by twelve, which houses male and females patients at the same time, and I brought this to the minister's attention. I am just wondering if any action has been taken to having an extension built to that clinic where at least a male and a female patient can have some privacy while being a patient at the clinic?

MR. SPEAKER:

The hon. Minister of Health.

MR. HOUSE: Mr. Speaker, some time ago I received that letter, of course, and I do not know if the hon. member has received any response to it. I think he has. But again that is one of the situations that we will be looking at. I do not think there can be any immediate alleviation to the problem but it certainly will be taken under advisement and will be considered in our future programmes.

MR. SPEAKER:

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I have a question for the Minister of Transportation, Sir. Would the minister indicate to the House what safeguards, what procedures are used by his department when they award contracts involving the hauling of material by contractors who have to use weight scales? What safeguards are taken to make sure that the department gets the proper weight from these weight scales?

MR. SPEAKER:  
and Communications.

The hon. Minister of Transportation

MR. BRETT: I am not absolutely certain what the hon. member is talking about. Are you suggesting on a contract job? To the best of my knowledge weight scales are set up. The trucks, of course, would have to pass over the weight scales and we have a member of our staff there at the weight scales who checks the weight of the trucks as they go through.

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

MR. NEARY: Would the hon. gentleman indicate whether or not his department had any trouble with the weighing at the weight scales on any road work in Hampden or around the White Bay area?

MR. SPEAKER: The hon. Minister of Transportation and Communications.

MR. BRETT: Yes, Mr. Speaker. The RCMP were called in and an investigation is underway.

MR. SPEAKER: A final supplementary, the hon. member for LaPoile.

MR. NEARY: Is this the only case to the hon. gentleman's recollection where investigations have had to be carried out into somebody suspected of cheating at the weight scales?

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MR. SPEAKER: (SIMMS)  
Communications.

The hon. Minister of Transportation and

MR. C. BRETT:

The only one to my knowledge, Mr. Speaker, that is not to say there were not some before, but it is the only one that I am aware of.

MR. SPEAKER:

The hon. member for Bonavista North.

MR. L. STIRLING:

Mr. Speaker, I have a question for the Premier. Some time ago he received a letter, I received a copy of it, from an organization concerned about the situation with Newfoundland ponies and the transportation is slaughtering them. I wonder if the Premier has had an opportunity to investigate that yet?

MR. SPEAKER:

The hon. Premier.

PREMIER PEACOFORD:

I will have to take that as notice, Mr. Speaker. I have spent the last six or seven days involved in cod and turbot and red fish and I have not been all that close to horses. I have a number of daughters home who are often close to cats and dogs - but horses? I remember vaguely the correspondence to which the hon. member refers, but I would have to take it as notice to get what our follow up position was on it. But I am aware I remember the correspondence in question but in order to give a substantive response to the hon. member, and a serious response, I would have to bow until I got additional information.

MR. SPEAKER:

A supplementary, the hon. member for Bonavista North.

MR. L. STIRLING:

Maybe the Premier can indicate for us and we can do some further checking. Whose area of responsibility would that come under? Apparently according to the letter that was written by this person -

SOME HON. MEMBERS:

Oh, oh!

MR. L. STIRLING:

There is a very real concern by a lot of very dedicated people, in the same sense that they are concerned about cruelty to other animals, that this practice has just come about that people are coming picking up horses at very low prices, and then just herding them in

MR. L. STIRLING: on just the most primitive conditions, transporting them across the Gulf, and that they are being starved and arriving in a very unacceptable condition. Now whose area of responsibility would that be in the Province?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: I do not know off the top of my head. I know that my good friend behind me, the Parliamentary Assistant, the member for St. George's (Mr. R. Dawe), gentleman farmer that he is, is very keen on this kind of thing and he has been following up on it for me and so we will try. I remember hearing an interview vaguely somewhere in the car last night with Gene Autrey but I think that had to do with baseball not with horses. The old cowboy! But in any case I will undertake to get whatever information is available and what our follow up has been and provide to the hon. member tomorrow.

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

MR. E. ROBERTS: Mr. Speaker, did my colleague have a - one about ghost riders in the sky.

MR. L. STIRLING: Yes, I did have one.

MR. SPEAKER: The hon. member for the Strait of Belle Isle yields for the supplementary of the hon. member for Bonavista North.

MR. L. STIRLING: Yes, Mr. Speaker, I think if you check Hansard I got somewhat of the same kind of response from the Premier when I was asking him and the Minister of Fisheries what they were going to do about the Northern cod stock back in the Spring when he could have done something about it.

MR. S. NEARY: He did not see the Gallup poll.

MR. SPEAKER: The hon. member has a question?

MR. L. STIRLING: He now has a position on that.

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, if I could respond to that question which was not a question, so that therefore the hon. member was out of order, we have responded to the Northern cod stock and we solicit the support of the hon. member for Bonavista North on that matter and

PREMIER PICKFORD:                      Hopefully he will be able to support us galloping away on horses as he is now supporting us galloping away on cod.

MR. NEAKY:                              After you call the Gallup poll (inaudible)

SOME HON. MEMBERS:                      Oh, oh!

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

MR. ROBERTS:                              Mr. Speaker, with great reluctance I shall pass up all of the obvious comments that should be made after those questions. I know the Premier - no, I will not say that. Anyway a question for the Minister of Health (Mr. House), who has left the House -

MR. D. JAMIESON:                              Direct it to the Premier.

MR. E. ROBERTS:                              Well, let me then ask the question to the Premier and perhaps he can refer to his colleague the Minister of Health. I wonder if we could be brought up to date as to what measures if any are being taken to guard against or to provide for, which would perhaps be a better phrase in the situation,

MR. ROBERTS: which will arise if the employees in the hospitals in the Province do go through with their suggested or proposed or threatened - again, whatever word is appropriate - lawful strike.

Now I realize additional negotiations are underway, and I would hope that they are successful. But they may not be successful and now that the minister is back, perhaps he can tell us what steps he has taken to put the hospitals in this Province into a position where they can react or continue to function in the event there is a hospital strike. The time is coming, I understand. I understand it would be possible, lawfully, to strike at some point over the Christmas Season or in the New Year. What has the minister done to ensure that at least some hospital services will be available to the people of this Province in that event?

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

MR. HOUSE: Mr. Speaker, first of all, I can advise, of course, that there have been notices in the press with respect to this. We have been aware that both unions are sitting down, I think, with the government, with the bargaining team today, number one. But we have been keeping bases covered all the time. We have met with the hospital boards and the Newfoundland and Labrador Hospital Association and this, of course, is being co-ordinated by Treasury Board and the departments concerned, the Department of Health, the Department of Social Services, in some cases, and in one case, the Department of Education. They have been in contact with all the hospital boards and, of course, those operated by government. We recognize that one master plan cannot do for all the organizations because in a lot of cases we have different kinds of services offered. We are putting contingency plans in place and, of course, I think we have everything covered as well as it can be covered.

I am fairly reasonably happy that, of course, in the event of a strike, that the service,



MR. HOUSE: obviously, will be set back a bit, but we will be able to carry on fairly efficiently.

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

MR. ROBERTS: So quickly? Well, we will try it again tomorrow.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

MR. SPEAKER: The hon. the Minister of Transportation and Communications.

MR. BRETT: Yes, I have the answer, Mr. Speaker, to question No. 55, asked by the hon. the member for Baie Verte - White Bay (Mr. Rideout), on the Order Paper of November 14th.

ORDERS OF THE DAY

MR. SPEAKER: Order 2. Committee of the Whole on a Bill, "An Act To Amend, Revise And Consolidate The Law Relating To The Establishment And Administration Of Municipal Government In The Province". (Bill No. 58).

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

MR. CHAIRMAN(Butt): Order, please!  
Bill No. 58, continuing discussion on clauses 291 to 300. The hon. the member for LaPoile.

MR. NEARY: Mr. Chairman, 291. Did Your Honour say 291? I thought we were on regional government.

MR. CHAIRMAN: Yes, regional government, clause 291.

MR. NEARY: Yes, I am sorry, Your Honour. Well, Mr. Chairman, let me repeat the point that we have been trying to make in this debate so far, and that is about the sweeping powers that this bill gives the Lieutenant-Governor in Council. And even though the minister is prepared to make some amendments to the sections dealing with regional government, nevertheless, Mr. Chairman, the

MR. NEARY:

various sections of the act that deal with regional government still give the minister and the government, the Lieutenant-Governor in Council, which really is the Cabinet, sweeping powers. And one of the things that I personally take strong exception to is the fact that non-organized communities, communities that do not have any municipal body at all, can be swept up in the regional government concept. In other words, whether a community likes it or not, once the feasibility study is undertaken and the report is made to the minister, then the government can issue an order that a regional council be established in any given region of Newfoundland, whether the majority of the communities in that region are organized or not. Now that is being rather dictatorial to my way of thinking, Mr. Chairman, and that is why I am raising it again now - I hate to be repeating myself in this hon. House - that a referendum of some kind should be held, that the people should be given an opportunity by secret ballot to determine whether or not they wish to have regional government, and not have it forced upon them by a piece of legislation rammed through this house a couple of weeks before Christmas.

I was not here on Friday when this matter came up, but I understand that the minister has proposed one or two amendments to the regional government part of this act, mainly to allow town councils in the area to elect a member of the town council to a regional government. Is that a correct understanding of the amendment? - which, by the way, Mr. Chairman, I might say only came about after the Opposition screamed and shouted and bawled and have been at this for the last two years, at least since the original Regional Government Bill that was brought into this House met its Waterloo, that the government have now seen the light and have agreed to bring in at least a token amendment to this bill to allow the municipalities that have elected members in any given area to elect a member of the town councils where regional government has been designated to that regional government. Now that is the metro Toronto concept that we have talked about so much in this hon. House, Mr. Chairman. But that still does not take care of the situation where you have communities that are not organized.

MR. NEARY: I would like to hear the minister tell us what he intends to do about these communities which have no representation. Will they be given an opportunity to have some input, first of all, into whether or not they want regional government? I think it would be a betrayal of the people, Sir, if this government took it upon themselves to have feasibility studies done and not give the people an opportunity either through a referendum, through a petition or through the ballot box to decide whether or not they want regional government. Regional government could be a burden or it could be a blessing. It could create another layer of bureaucracy or as in the case of metropolitan Toronto, it could be a good concept. But I think in the final analysis that the people should have the right to decide. So I will ask the minister again if he will enlighten us if he can on how the people who are appointed to do feasibility studies intend to get at communities that are not organized, that do not have a community council, a town council or any municipal body in these areas?

MR. CHAIRMAN: (Butt)  
and Housing.

The hon. the Minister of Municipal Affairs

MR. WINDSOR:  
for his questions.

Mr. Chairman, I thank the hon. gentleman

It is something that we have addressed at length, our deliberations on precisely how to put together this particular piece of legislation, because it is something that obviously is very significant, and the acceptance of this particular

MR. WINDSOR:

section of the new Municipalities Act. I think it is very important that not only it be a reasonable method of electing a council but that it also appear to be reasonable. That is precisely why it requires here that a feasibility study be carried out. I point to Section 301 (2) which reads, "The person conducting the feasibility report has all the powers of a commissioner under the Public Enquiries Act." So it is not just something that is a flash in the pan, it is not just something that is just paying lip service, it is a fully bona fide enquiry, a feasibility study to decide not only whether or not it is economically feasible, although obviously that is a very important consideration - one would be loath, I think, to establish any regional authority that was financially non-viable from the beginning, so that is obviously a major consideration. Certainly one of the main considerations would be the opinion of the persons who would be affected by the regional council and that is precisely why we put in here - and I might add, by the way, Mr. Chairman, that the committee that drafted this particular piece of legislation recommended, in accordance with the Whelan Report, that there be a feasibility study. The fact that there be a mandatory public hearing is a position that has been taken by this government, that we have inserted in there, that there must be public hearings held as part of that feasibility report. That is very clearly to ensure that every person who is effected, who has an interest, any individual, any organization, any council, whether it is a person living in an incorporated area or a non-incorporated area, every person has the opportunity to have a say at those hearings. So everybody will have that opportunity. He need not live in an incorporated area, everybody will be treated equally here. Perhaps it might be a fair argument that a person living in an incorporated area may be doubly represented because they have elected representatives who would also undoubtedly speak on their behalf. Because as it relates to elections, the flexibility is here and hon. gentleman referred to an amendment that I indicated during second reading and that I will be proposing when we come

MR. WINDSOR: to the appropriate section as it relates to elections of regional councils. One of our concerns and one of the concerns of councils is the area that was proposed previously whereby government should have some appointees and again this was recommended to us, that government should have a number of appointees on a regional council. The Henley Commission hearings into the St. John's urban region study also recommended that there be government appointees. There was good reason for that. The arguments were, of course, that the Province will be bearing a substantial portion of the cost of the regional government and therefore they should indeed have some direct input. The amendment that I will be proposing, or that my colleague will be proposing when the time is appropriate, when we come to the appropriate clause, will read that regional councils will be primarily, and the intent is to elect the regional councillors but it does provide that a number may be appointed by the Lieutenant-Governor in Council from amongst the already elected councillors in the region and on the recommendation of the municipalities. So if you had a regional council being established which covered, say, three municipalities, then those three municipalities might - for instance, the structure may be that half of them would be elected and half of them would be appointed from amongst the councillors and we would ask the councils to decide among themselves and to recommend to Cabinet the persons from the elected councillors who should be appointed. Now the flexibility is there so that they may be all elected or they may be all appointed, or there may be a mixture, and there are reasons for that. There are certain structures that I have indicated and I think I mentioned already in the debate. For instance, the committee that is established in Placentia to operate their building, to operate a regional recreational facility, and all of those persons at the moment on the committee that is doing that have been appointed by the councils themselves, the four councils in that area, that are co-operating in that project. A similar situation exists in Grand Falls where a regional water supply system is being operated jointly by the councils and each council out there has appointed, I think,

MR. WINDSOR:

two members to sit on that committee.

So there is the rationale, there is the case where they will be all appointed but in each case the appointments are from the already elected councillors. So the people have indeed had a say, they have elected those people. And the other people who might be elected at large, they could be elected based on a ward system, it might be just an election at large or whatever is deemed applicable to a particular region and, obviously this being enabling legislation, it would be

MR. WINDSOR:

impossible to set down a rigid formula that would have to be followed by all regions because the purposes of the region, the functions that they will carry out, the reason that they are being established, the powers and authorities and responsibilities that they have will vary, as will regions themselves. What is applicable in one region will not be at all appropriate in another region and, therefore, the legislation must be general enough, must be broad enough and flexible enough to provide for all circumstances. And this is what we have tried to do. But in every case there is certainly provision there for input from local persons, persons involved, persons concerned, and the feasibility study, the mandatory public hearings covers that, I think, fairly clearly and the fact that the persons who will actually sit on the council, being elected from the local area, I think covers it as well.

MR. CHAIRMAN (Butt):

The hon. member for Bonavista North.

MR. STIRLING:

I would like to know, just on a simple question and answer basis, I will get up and make some other points later on. What is the objection? I am sure the minister realizes by this time, that a number of municipalities which are going to be affected by this act, feel that the authority should come back to the House of Assembly to be debated. Just on a simple answer basis; with so much power - it is good enabling legislation - so much power to the minister, what is the objection that the minister has to having it - for example, you are not going to prepare that many regional councils, what is the objection that the minister has to bringing that back to the House of Assembly for ratification?



MR. CHAIRMAN: (Butt)

The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR:

Mr. Chairman, I think perhaps the best answer to that would be the Whelan Royal Commission itself. They deal very exhaustively with the structure that they are recommending that be put in place here. They do indeed recommend the system as we have proposed in this particular piece of legislation.

The hon. gentleman is correct, there may not be that many but I think he would have then a multiplicity of individual pieces of legislation. This is one of the objectives of this particular proposed piece of legislation, to unify the legislation so that there is only one act. All municipalities now, with the exception of two cities, will be governed by it. To further complicate the issue again by bringing in a bill each time there is to be a regional council established anywhere in the Province, in ten years time, if we were to establish one a year, we would have ten more pieces of legislation dealing with the particular areas. So that is over-complicating things a little bit.

Nevertheless it is some of the more significant ones. For instance, we had a piece of legislation here a year ago, Bill 50 as it was, that dealt with the St. John's urban region, which was a very complicated piece of legislation and contained a great many provisions that are not contained in here because it was more detailed, it was tailored to a specific area, a regional bill to cover, for instance, the two situations I just mentioned. The Grand Falls one, a piece of legislation is not required, it is simply a matter of establishing it and putting it on some legal basis so they have some solid basis from which to operate, some legal authority to operate, some power of taxation if that is required. If we brought back a piece of legislation each time we were to establish one of these very simplified forms of regional government, then I think the House of Assembly would spend a great deal of time debating individual situations rather than the principle, and the principle is what we have been debating here, a principle of establishing



MR. WINDSOR: regional authorities where they are deemed applicable. What we are talking about now are the mechanics of the thing and that is all that is left. This provision is general enough that it can be applied to any situation that we can foresee at the moment in the Province. So what you would really be talking about if you came back each time, is the simple straightforward mechanics of how to adopt a system and tailor it to a specific region.

MR. CHAIRMAN (Butt): The hon. member for Bonavista North.

MR. STIRLING: I will concede to my colleague if you have got something.

MR. CHAIRMAN: The hon. member for LaPoile.

MR. NEARY: I just wanted to put a couple of simple questions to the minister, Mr. Chairman. Obviously the government are still smarting under the defeat of that bill last year and the minister mentioned it again when he was replying to my colleague, the member for Bonavista North (Mr. Stirling) here, and I would assume that immediately when this bill becomes law that the government will proceed immediately, if not sooner, to establish regional government in the greater St. John's area,

MR. NEARY:

in the St. John's urban region.

Would the minister indicate if this is so? Would the minister also indicate what other regions of the Province - the minister also mentioned the Grand Falls-Windsor area, the member for Placentia (Mr. Patterson) mentioned Freshwater, Dunville, Jerseyville and Placentia and said that he favoured regional government for that area, and we have heard some comments in the House about the Burin Peninsula. Would the hon. gentleman indicate what he has on the drawing board in the way of proposals for regional government? Will the government go ahead immediately when the bill becomes law with regional government in the St. John's area, which they could not do last year because the bill was defeated? And in what other regions of the Province can the minister foresee regional government being set up, say, at an early date?

MR. CHAIRMAN (Butt)

The hon. the Minister of Municipal Affairs

and Housing.

MR. N. WINDSOR:

Mr. Chairman, we do not have any proposals

at the moment. I cannot indicate to the hon. gentleman at the moment that there is any particular area in which we intend to set up a regional council. In fact, I made it very clear on Friday - I think the hon. gentleman was absent from the House of Assembly - I made it very clear on Friday that this government has no intention whatsoever of establishing regional governments unless we are clearly sure that there is a need for it in that area and that the people of that area generally agree that they not only need it, it is also desirable and in their best interests.

As it relates to the St. John's area, there is a great deal of work to be done before we even address that situation. In fact, I am now in the middle of talking with pretty well every council in the region as it relates to the boundary issue. In fact, I wrote four or five of the larger municipalities today as it relates to their particular boundary questions that they have addressed to us over the last couple of months.

These are situations which I see as being far more important at the moment than establishing a regional authority.

MR. DINN:

I think it will come about it in time.

I am not in any hurry in the St. John's area to impose anything, if that is what the hon. gentleman is getting at. I am much more concerned, in the St. John's area, for instance, with the boundary issues. The city of St. John's has proposed an expansion, Pouch Cove has been proposing an expansion - a requested one - Bauline is looking for incorporation, Logy Bay, Outer Cove and Middle Cove want incorporations, St. Phillips wants an expansion, Mount Pearl is looking for an expansion, Kilbride is looking for some sort of an incorporation. These problems I see, in this particular region at the moment, as being far more critical than establishing an authority which would bring them all together although that, indeed, is important. But I perceive that a group that was recently established of mayors of this area, who have gotten together because of the perceived difficulties that may be ahead of us in the region because of, hopefully, impending offshore oil developments, that they have gotten together now and they have already seen that there is a need to get together and have some discussions on a regional basis. That, as I see it, is, in fact, the basis, the start of a regional council in this area, and I am quite happy to let that grow and develop. And as we see how the boundary issues will develop in this area, as we see what will be the future of regional services as we get our regional water supply completed, our regional trunk sewer completed, as we do this transportation study that is now ongoing - when we see the results of those, then we will have a much better idea of knowing exactly what form of a structure in this area we may, in fact, need to tie it all together.

As it relates to other areas of the Province - the hon. gentleman referred to the Burin Peninsula - I referred to that as it related to the Whelan Commission report which recommended that the Burin Peninsula area might be an area with which we could experiment as a first regional authority. There was also one of the resolutions of the Federation of Mayors and Municipalities, I think, in 1977, as a result of the Whelan Royal Commission report, where the Federation concurred, and suggested that the government move ahead very quickly and establish a

MR. N. WINDSOR: regional council in the Surin Peninsula area on an experimental basis.

We have had overtones from many areas of the Province which can see the need for regional councils with authority and this is why, as I mentioned a moment ago, the act is so flexible and so general in nature that it can apply to any one of these areas. It could apply to a fairly sophisticated form of regional government; it can also apply to a very rudimentary and very simple committee who see a need to get together as, for example, the regional water supply in Central Newfoundland, for the purpose of owning and operating and maintaining a specific service.

MR. NEARY: I am glad that the hon. minister and the government have seen the light. Because the statement that the hon. gentleman just made is a complete reversal, it is a softening of the hard-line position that was taken by the government in the last session of the House when the Minister of Municipal Affairs, who introduced the Regional Government Bill, told this House and told the people of Newfoundland that he would resign if he did not get his bill through, that he would ask the Premier to put him in another department of government, he got so contrary and he sulked so much.

AN HON. MEMBER: He was elected since then with a big majority,

MR. NEARY: Re-elected since then - well, that will only be for the time being.

Mr. Chairman, there is a definite softening of the government's position. They had the hard line when they introduced this Regional Government Bill, and now the minister

Mr. Neary: tells us that they are going to let this get together by mayors in the area, who are concerned about the offshore discoveries, they are going to let that foster and grow. Well, we tried to tell the government that a year ago, that the movement, the initiative should be taken by the town councils and the people in the area and not be forced on the people in a Hitler-like way as the government attempted to do last year.

And so, Mr. Chairman, I hope that the minister is sincere in what he says, and this will be the approach, that there will be no hard sell, that there will be no threats, there will be no withholding of benefits or assistance of any kind, and that no force or no intimidation will be used at all to influence people in any area of the Province, especially in the area that the government have their eye on in the St. John's urban region.

Now, Mr. Chairman, the minister also said something else that struck me as being very significant, that has to do with extension of boundaries. Did I understand the minister correctly, perhaps the minister can confirm this, that he is now making a commitment that before regional government is set up in the St. John's urban region that all the Town Councils in the city of St. John's, Mount Pearl, Torbay, that all these municipal bodies, especially the St. John's City Council, that are asking to have their boundaries extended, that these matters, because we do not want a jurisdictional war on our hands, we do not want another - what is that over in Israel where the Palestine Liberation Army, what is -

AN HON. MEMBER: (Inaudible).

MR. NEARY: Oh, I do not know. We do not want another Sinai on our hands, Mr. Chairman. The, do we have the minister's undertaking now, and the minister's commitment, that the boundary situation will be straightened out before any attempt is made to implement regional government in the greater St. John's area, in the St. John's regional area, that there will be no boundary disputes, that all these

Mr. Neary: matters will be resolved before there is any attempt to bring in regional government in this area?

MR. CHAIRMAN (BUTT): The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Chairman, what I said was that I see that as being far more critical and far more important at this particular moment than I do see regional government. I am not sure if we can get every last square inch of the Northeast Avalon Region sorted out before a regional council might be put in place, it depends on the demand and the perceived need and the importance of putting a regional council in place, and it could change very quickly, I have already referred to the meetings now being held by the mayors. If they perceive that something might happen very quickly in this particular region, particularly as the result of oil developments, that may, indeed, make it very, very critical that a regional council be put in place immediately.

What I did say was that I see the need to sort out the boundary issues as being far more important to me personally, at the moment, and that we are preceding in that. I can assure the hon. gentleman there is no great boundary war. In fact, municipalities are now talking to one another saying, "We are proposing expansions, and you are proposing expansions, let us sit down and have a look at this and come in with a joint proposal to the minister."

And, in fact, as I have indicated and I hesitate a little bit in saying this in the House because the letters have not gone out yet and so it is a little bit, I suppose, improper for me to discuss with the House a letter that I have not yet mailed to the municipalities, but I have written today to five or six of the municipalities in the central region, in the city of St. John's and two or three other municipalities surrounding it saying just that, that here is a map of the region, here are limitations on us, here are some of the requests that we have, please have a look

Mr. Windsor: at them in light of your own requests and get back to us and discuss with other municipalities. And hopefully if we could get a joint submission from these municipalities as to how they see their municipality grow, in line, of course, with their technical people and our staff is available at all times. But that is the approach we are taking in the region, and we think we can work that out.

As to whether or not we will have that 100 per cent completed by the time, I would hate to limit the region in that regard by saying we will have it completely solved, but I would certainly see it - it is something, I think, that you would have to address hand in hand in that deciding where boundaries might be changed, where they need to be changed or expanded or whatever, I think, you also have to have in the back of your mind a regional structure that might be put in place and vice versa.

MR. STIRLING: Mr. Chairman.

MR. CHAIRMAN (BUTT): The hon. member for Bonavista North.

MR. STIRLING: Yes, I know we have spent a lot of time on this but the minister by this time, I am sure, has received some of those same people that you have mentioned



MR. L. STIRLING: who are considering regional government. They have come back to us in telegrams and letters - do not go away for a minute.

AN HON. MEMBER: (Inaudible)

MR. L. STIRLING: They have come back to us and said, "One, we think we should have a copy of the act, the whole Municipalities Act, that we can not make intelligent comment". They are embarrassed about the fact that they can not give a point of view on many parts of this because they have not seen a copy of the act.

As I understand it, many places have still not received a copy of the act, even to this day have not received it. You mentioned, and I do not want to get involved in naming some of these places unless I have their permission and I am not sure that the fact that I have a telegram from them gives me permission to release their names, but they have expressed essentially two or three concerns and that is why I ask the minister, because I have a feeling and I said before although at least one of my colleagues did not agree, I have a lot of respect for the minister. I think he is a good Minister of Municipal Affairs but in this whole attitude, this whole process of dealing with (a) the elected councils and (b) the House of Assembly there is, and I do not know whether it is the minister or whether or not it is the government's attitude, but an attitude that we will not have the courtesy, for example, to let councillors send in their comments. Did not send them a copy of the act? That sort of thing is tracing through like the attitude towards the House of Assembly. Of course, this is a good model but I am sure the minister is aware that if he attempts to bring in regional government for the coast of Labrador, it has got to have such very special considerations and very special concerns that he is going to have to bring a bill to the House of Assembly.

And the city of St. John's as you indicated - I was not a member of the House, I do not think the present minister was the minister - the city of St. John's and the surrounding areas, when you brought in the regional government dealing with the urban region of St. John's, there were so many specifics that people



MR. L. STIRLING: objected to that we ended up with the kind of situation in which the House of Assembly turned down that bill because there must have been something in it that they did not agree to.

Now, I think that the minister should look at this on the same basis as though a Liberal government were in power. Would you give the Minister of Municipal Affairs the absolutely complete authority that is in that regional government bill? And if you can not answer that honestly, yes, I would be happy to give that to the Liberal government, then you should not be trying to force this through while it is true you do have a good minister in power. But I would ask the minister either to imagine any of the members on this side in his post or some of the members on the other side dealing with the absolute wide powers in this bill.

The councils do not like the concept of any minister, either a Liberal minister or a PC minister, having the kind of authority that is set out in this bill, that can take from municipalities assets, can decide on the responsibilities, to decide what is a regional responsibility, to decide the boundaries, for example, as you have already indicated, and there is nothing that causes more concern amongst municipalities than their boundaries and the minister has already had some, I was going to say sad experiences, but certainly some experiences in two municipalities fighting over boundaries. All this authority is under a regional bill.

Now, the minister has made a very significant change in the concept of this bill and it may give an indication, and my colleague from LaPoile (Mr. S. Neary) touched on it, the first indication of the government, the first attitude of the government was what came out in, I think you called it Bill 50, the last session of the House, in which the attitude was force the thing through, that could not happen. Then a bill came out that had the full authority to appoint, and I think that the minister used his influence and has made a very good change to sort of say that it

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MR. L. STIRLING:                    should be done on an elected basis  
The councils in these areas and the councils throughout Newfoundland  
would like you to go one step further and say that if ,

MR. STIRLING: the municipalities can come together themselves, if they can make recommendations themselves, if they can take this model bill, and there is nothing wrong with using this as a model bill if you refer it back to the House of Assembly, take this as the model bill and say, 'Okay, we all agree we want this clause and that clause and the other clause and we do not want this and we need some special consideration, and let the minister come back to the House of Assembly with the model bill so that this should be the House where the final decisions on behalf of the people of Newfoundland - because there is a lack of respect for the fact that the people have elected us and sent us here to make the decisions.

At the time that the election took place, they did not know who was going to be the government. There is not a member in this House who got elected as a member of a government, he was elected to represent a district. It is a question of - after the results come in, you get into the secondary question of who is going to be the government.

MR. NEARY: Sure they told us down in Burgeo - Bay d'Espoir to elect a government member -

MR. MORGAN: Do not be so foolish boy.

MR. STIRLING: Yes, that is in a by-election.

MR. NEARY: - or you will not get anything.

MR. MORGAN: (Inaudible) problems.

MR. NEARY: Elect a government member or you will get nothing, you are cut off.

MR. STIRLING: Now, we are into a situation in which - an indication of the kind of lack of respect for the House of Assembly is when members, and there were at least a dozen members on this side of the House, before this fisheries conference out in Corner Brook that was going to make the decision that they have now made, the federal government has made, and they indicated they were so surprised, there were at least a dozen members on this side of the House said, 'Are you going to go to the fisheries conference? Are you going to send a big delegation? Are you going

MR. STIRLING: to table what is the government's position?' I think the only one who agreed, the only one on that side of the House who said definitely at that time, 'yes, we have to protect the Northern cod stocks', was the Minister of Lands and Forests (Mr. Morgan). He was the only one at that time who said, 'Yes, we will protect it'. He was the only one at that time.

The Premier took the same attitude then, if you will look at Hansard, in answering any of the questions. And the Minister of Fisheries took the same attitude he did about Newfoundland ponies a few minutes ago, a big joke, the Newfoundland cod stocks.

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

MR. CHAIRMAN(Butt): On a point of order. The hon. the President of the Council.

MR. MARSHALL: I hate to interrupt the hon. member but the fact of the matter is, we are speaking about the municipal bill, which is the bill before the Committee and I do not see that it has any relevance, as interesting as it may be, to the fisheries conference and the Northern cod stocks or, for that matter, ponies.

MR. NEARY: To that point of order, Mr. Chairman.

MR. CHAIRMAN: To the point of order. The hon. the member for LaPoile.

MR. NEARY: The hon. the government House Leader, Sir, in keeping with past tradition, has raised what he says is a point of order, when in actual fact it is not a point of order. My hon. friend is relating various and sundry debates and discussions and arguments that took place in this House to regional government. My hon. friend is completely in order and the hon. gentleman, he may not like what my hon colleague is saying, but he is in order and I would submit that Your Honour allow my hon.

MR. NEARY: colleague to carry on with his discussion.

MR. CHAIRMAN(Butt): I would rule that a point of order does exist and that the hon. the member for Bonavista North (Mr. Stirling) is straying from the subject and is being somewhat irrelevant. I would ask the hon. gentleman to confine his remarks to regional government.

The hon. the member for Bonavista North.

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

Relating it to regional government, the whole question of why we have to debate this in the House of Assembly is the past record of the attitude of this House, the attitude of the government towards this House about having respect for the House in referring things back to the House for final decision and my references are just like the reference that everytime I get close to the truth, the President of the Council (Mr. Marshall) rises on a point of order. Because when I asked questions on another item I was told, 'Oh, yes, do not bring that up now, you should have done that before you got elected two or three years ago when another act, the Public Tendering Act did not have special provisions put in for it and how to handle it. So it is all related, Mr. Chairman, it is related to the whole question of what is this government's attitude about councils. Its attitude about councils is, We are bringing through legislation which will affect and which they have to deal with every day and we do not have enough respect for them to send them out a copy of the act. As far as I know, some councils still do not have a copy of the act.

The second point is the question, does anyone in this Province trust any

MR. STIRLING: minister to take the kind of authority that he has under this act - any minister who has the kind of authority under this act - and use it without having to refer it back to the House of Assembly? Mr. Chairman, I intend to get the permission from the fifty or sixty councils which have come back and specifically said, 'No, we do not agree that the minister should have this authority. We believe the councils should be involved, and the councils, when they agree on a concept of regional government, that act should go back to the House of Assembly for final authority.'

MR. MORGAN: Only sixty out of 100 telegrams?

MR. STIRLING: Sixty out of one hundred and fifty.

MR. MORGAN: One hundred telegrams and only sixty back?

MR. NEARY: You told yours not to answer. You told Bonavista not to answer.

MR. STIRLING: Mr. Chairman, I know I should not have paid a compliment to the Minister of Lands and Forests (Mr. Morgan) because as soon as I complimented him, he shoved his foot in his mouth quickly. He immediately jumped in and said, 'What difference do sixty municipalities in this Province make? Sixty municipalities in this Province want to be consulted about municipal government. What difference? Sixty, only sixty of them want to be consulted? Only sixty want to have a word. Who pays attention to sixty? Now, on the other hand, if you have some other number bigger than sixty, then we would listen, but sixty people sending in telegrams should not be consulted! And I would suggest to the minister, regardless of how you decide to force this through - because I notice from the amendments that you do now recognize the city - and we have now changed from a position that told the cities, 'You are not going to be affected by this act,' to now defining the city and including the city in all these clauses.

I would like to summarize and sum up my feelings on this question of regional government. I think regional government is a good concept. I think regional government would come by natural process, by municipalities which want to get together. I do not agree with

MR. STIRLING: the concept of forcing it through in one act with the authority being given to the minister. Whether that was a Liberal minister or a P.C. minister, I would still say that the authority and the respect should come back to the House of Assembly and that this is too important a level of government- the municipal level of government and the regional level of government - this is too important a level of government to attempt to put through in one bill because we know that it cannot apply to all places in Newfoundland, there are special situations and the place for that to be dealt with is in the House of Assembly.

Thank you, Mr. Chairman.

MR. CHAIRMAN: (Butt)  
Affairs and Housing.

The hon. the Minister of Municipal

MR. N. WINDSOR:

I would just like to respond briefly to the comments of the hon. gentleman from Bonavista North (Mr. Stirling).

First of all, he commented that the House turned down Bill No. 50. I would like to correct that. Bill No. 50 was hoisted for six months and was never brought back to the House of Assembly, but it was not turned down, and that is a significant difference.

I would refer also - the hon. gentleman has given me an excellent opportunity to really take a swipe at him. He asked me whether or not I would recommend that this legislation be applicable to, some day in the future, a Liberal minister. I could have all kinds of interesting comments as a result of the opening he left me there. I choose not to and simply say, Yes, Mr. Chairman, I submit to you that first of all, it is not the minister who has the authority, it rests with the government of the Province, duly elected by all of the people of the Province, therefore, hopefully, representing all of the people of the Province. And I would also submit very clearly, Mr. Chairman, that I would have no hesitation in giving that authority to any government, because I would hope that any government, whether it be P.C., Liberal, or anything else, would have the same best interests of the municipalities at heart as we do here today.

SOME HON. MEMBERS:

Hear, hear!

MR. N. WINDSOR:

The hon. gentleman asked, What is government's attitudes about council? I think the bill speaks for itself, Mr. Chairman, and that the bill gives all kinds of authorities to council. In fact, many people have criticized the bill to the point that it perhaps gives them too much autonomy, that indeed, the Province maybe does not have enough control over this and that we are maybe taking our lives in our hands there. But I would say to you, Mr. Chairman, that we do have great respect for councils and we are convinced that they, indeed, can operate under this particular piece of legislation in the best interests of the people they represent.

The hon. gentleman referred to coastal Labrador and the type of regional council that might be applicable there. I would say to you that I think it is a long, long ways away before any formalized structure of regional government is applied to coastal Labrador. I would say to you



MR. N. WINDSOR: that the joint community councils of Labrador are now, in effect, filling a void there and a need, the need that Labrador may indeed have for some time in that there is discussion on a regional basis and they have broadened, that they are far outside what would normally be considered the responsibilities of a regional council, and they are talking about all forms of problems outside of even municipal problems.

MR. CHAIRMAN: (Baird) Shall Clauses 291 to 300 carry?

MR. W. MARSHALL: Mr. Chairman, just before it does there is minor amendment to section 299 adding the word 'cities' immediately before the word 'towns' so that section 299 will now read, "In an order made establishing a region or annexing an area to a region the Lieutenant-Governor in Council may provide for the adjustment of assets and liabilities between the cities, towns, communities and regions affected thereby".

On motion, amendment carried.

On motion, Clauses 291 to 300 carried.

MR. CHAIRMAN: Shall Clauses 301 to 310 carry?

MR. W. MARSHALL: There is another amendment here in sections 302 and 305 and 306. There are extensive amendments here. I think the hon. gentlemen have been given them. They have them, really. What it does, it puts the word 'cities' again, inserts the word 'cities' before the word 'towns' in those sections. So if the committee will permit, rather than read them I propose the amendments as filed.

On motion, amendments carried.

On motion, Clauses 301 to 310 carried.

MR. CHAIRMAN: Shall Clauses 311 to 320 carry?

MR. W. MARSHALL: Mr. Chairman, there is an amendment here as well. Again, I do not think it is a matter of great import to 313(1), 313(2) and 316, the words, 'From elective councils the cities and municipalities in the regions', be inserted immediately before the word 'appointed'.

AN HON. MEMBER: That is an Opposition amendment.

MR. W. MARSHALL: There are times when the Opposition does come in with wise amendments and if this is, in fact, an Opposition amendment we wholeheartedly endorse it, we are wise.

SOME HON. MEMBERS: Oh, oh!

MR. W. MARSHALL: I do not think, Mr. Chairman - here again

I think that these amendments have been before the members of the Committee and I propose them as they are placed.

On motion, amendments carried.

On motion, Clauses 321 to 340 carried

MR. CHAIRMAN: Shall Clauses 341 to 350 carry?

MR. W. MARSHALL: Mr. Chairman, again there is an amendment that the words 'At the discretion of the council' they are added immediately before the words 'Its committees' in section 342.

On motion, amendment carried.

On motion, Clauses 341 to 360 carried.

MR. CHAIRMAN: Shall Clauses 361 to 370 carry?

MR. W. MARSHALL: There are a few amendments here, Mr. Chairman, in 362 (2) and 370. Again, they pertain - 370 adds the word 'city' before town. And the other word, the word 'proof' is struck out and the words, 'providing for the crediting on a reciprocal basis' is substituted therefor.

On motion amendment carried.

On motion, Clauses 361 to 370 carried.

MR. CHAIRMAN: Shall Clauses 371 to 380 carry?

MR. W. MARSHALL: Mr. Chairman, there are amendments to section 375 and 379. The word 'city' before the word 'town' and in place of the words 'one month' in section 379 substitute the words 'five months' and the minister has another one, have you?

MR. WINDSOR: No.

MR. W. MARSHALL: No, okay that is fine.

On motion, amendment carried.

On motion, Clauses 371 to 390 carried.

MR. CHAIRMAN: Shall Clauses 391 to 400 carry?

MR. W. MARSHALL: In Clauses 391 to 400, Mr. Chairman, again we have an amendment for section 394 which is inserted at the beginning of this section the words, 'subject to section 413 for the reasons given'.

On motion, amendment carried.

On motion, Clauses 391 to 400 carried.

MR. CHAIRMAN:                    Shall Clauses 401 to 410 carry?

MR. W. MARSHALL:                Again, Mr. Chairman, an amendment to section 407 (2). That is amended by adding the words 'city or' immediately before the word 'municipality'.

On motion, amendment carried.

On motion, Clauses 401 to 410 carried.

MR. CHAIRMAN:                    Shall Clauses 411 to 420 carry?

MR. W. MARSHALL:                Mr. Chairman, amendments here to Clauses 413 (a), 413 (b), 414 and 414 (1) as set forth in the pages that have been set forth. If the hon. members wish me to read them; section

MR. MARSHALL: 413(a) the word, 'vice-chairman', in paragraph (a) be struck out and the words, 'deputy chairman', be substituted, and the word, 'unanimous', be struck out and the word, 'two-thirds', substituted. In 413(b) the word, 'vice-president', in paragraph (b) be struck out and the words, 'deputy chairman' be substituted, and in 414(1) the word, 'vice-chairman', in paragraph (a) is struck out and the words, 'deputy chairman', are substituted.

On motion, amendment carried.

On motion, Clauses 411 through to 420, carried.

MR. CHAIRMAN: (Baird) Shall Clauses 421 through to 430 carry?  
The hon. member from Grand Bank.

MR. THOMS: I think it is about time we came to a little bit of - less speed here, Mr. Chairman. I would like to move an amendment.

MR. CHAIRMAN: I recognize anybody as soon as they stand.  
The member from Grand Bank.

MR. THOMS: I would like to move an amendment to Clause 430, and to be specific it is Clause 430, subclause 1(d), I would like to amend it by inserting the words, 'or lower' after the word, 'same', in subparagraph (d) and immediately before 'unit', so that it would now read "(d) where public work awarded by public tender is extended at the same or lower unit prices so long as the extension is not more than 50 per cent of the value of the initial contract". Mr. Chairman, I brought this matter up earlier in the debate on this act and, as a matter of fact, I spoke privately with the minister on it, and I was told - I do not think I am letting any confidences or anything out at the moment - I was told that they were in agreement with me that this particular section should be so amended, but that the Public Tendering Act had wording exactly like this and they wanted the Municipal Act to have the same wording. I cannot accept this as a reasonable, logical reason for putting this in this particular act. We saw, before the Public Accounts Committee, the present Minister of Lands and Forests (Mr. Morgan), who had been Minister of Public Works, say that the Tendering Act prevented any negotiation of the unit

MR. THOMS: price as stipulated in the earlier contract and, therefore, prevented a further saving of taxpayers' dollars. Somewhere in his statement before the Public Accounts Committee he said that the government could have saved thousands of dollars if they could have awarded an extension to a contract but did not have to comply with the letter of the law as far as the Public Tendering Act is concerned. Now, I really cannot see any rationale behind the reasoning of the minister for insisting that this particular section go in completely unedited from the original version in the Public Tendering Act. If we just inserted those two words that I have used, then Councils who want to go under the exceptions there of awarding, where it is an extension to an already awarded contract, they then can go back and negotiate for the further work at a lower unit price than was in the original contract. Now, the government - at least one minister of the government - has interpreted the Public Tendering Act to mean that that cannot be done. The minister said that the Public Tendering Act is going to be reviewed, and this will be

Mr. Thoms: probably one of the things that will be changed, that will be amended. But we do not know how long this review of the Public Tendering Act is going to carry on. We do know that from the time this Act comes into effect the municipal councils will have to abide by Section 430 and, therefore, will not be able to negotiate extensions to contracts at a lower unit price than was in the original contract. And, therefore, it may very well mean that they will have to pay more for the extension when they could go back and negotiate a lower price.

Again, Mr. Chairman, you know, it is a reasonable request for an amendment, if I get assurances that the Public Tendering Act is going to be amended immediately and the Municipal Act would then be amended accordingly. But we have a flaw, I apologize, Mr. President of the Council, but we do have a flaw in the Public Tendering Act, and we are now passing this flaw along into this Act. And it does not make sense just to have the public tendering sections here to correspond to the Public Tendering Act, to me that is not a good reason.

And I am just asking that this particular section be amended just by the insertion of two words, and then if a council wants to award an extension to a contract they can do so. But as I said before, if the Public Tendering Act were to be amended immediately - the Public Tendering Act may not be amended until a year down the road. It is a very reasonable amendment, and it is one that I would like to see accede to.

MR. CHAIRMAN (BAIRD): The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Chairman, let me first of all concur with what the hon. gentleman said about discussions we did have several days ago. I did indicate to him that I did in principle agree with him and I do quite frankly, as an individual. I cannot speak on behalf of government in this particular issue, because it is not one which comes under the ambit of my responsibilities or authorities. But I do personally agree that there is, indeed, certainly a great deal

MR. WINDSOR:

of justification in what he says. I am, as he also indicated, a little hesitant to propose an amendment here which would bring this act different than the Public Tendering Act now in force as it relates to the provincial government. Also, with certain judicial proceedings underway relating to the Public Tender Act, I am not sure if it might not be wise for us to consider this particular issue, hopefully, after some of those issues are out of the way. If I could, and if the hon. gentlemen would accept this, give him an assurance that I certainly will take it under advisement. There will be very, very few if any public tenders awarded by municipalities over the next three months and that in the Winter session we could, indeed, then, introduce an amendment, hopefully, in line with any amendments that may be proposed to the Public Tender Act and that in the interim I will have discussions with the hon. gentleman and keep him informed of what we are proposing, if that is satisfactory.

MR. CHAIRMAN (Baird): The hon. member for LaPoile.

MR. NEARY: Mr. Chairman, first of all let me point out to the hon. Minister of Municipal Affairs that he cannot wear two hats. He cannot stand in this House or outside of this House - he can do it but morally it is wrong to do it - he cannot say inside of this House or outside of the House that individually, personally I agree but I cannot speak for the government. Mr. Chairman -

MR. WINDSOR: I did not say government did not agree. (inaudible)

MR. NEARY: The hon. gentleman, as I understand what he said - and Hansard will prove, I think, that I am right - he said, I can confirm that I had discussions with the hon. member and I am very sympathetic towards this amendment and I agree with it individually on a personal basis, but I cannot speak

MR. S. NEARY: for the government. Mr. Chairman, who speaks for government? Who in this building speaks for government if the hon. gentleman does not? The hon. gentleman can not wear two hats. He can not say on the one hand, personally, I agree with something and then on the other hand say, you know, as a minister I do not speak for the government. You can not do that, it is just not done. Only an ignoramus would make a statement like that, a political ignoramus, now, I am talking about. And, therefore, the hon. gentleman is speaking for the government whether he likes it or not. And now is the time to talk about amendments to this bill, not when it is passed. If the hon. gentleman feels so strongly about it, why does he not agree with the amendment my hon. friend has made? It is a very simple amendment, all it does is say, "Where a public work awarded by public tender is extended at the same or -

MR. D. JAMIESON: Lower.

MR. S. NEARY: - lower unit price.

AN HON. MEMBER: You are going to vote for this are you not?

MR. S. NEARY: No, we do not expect the Minister of Lands and Forests (Mr. J. Morgan) to vote for it, we know how he feels about the Public Tendering Act.

MR. MORGAN: It was my suggestion at the Public Accounts meeting.

MR. S. NEARY: What was that again?

MR. L. THOMS: It was his suggestion at the Public Accounts meeting, He is the one I was quoting.

MR. CHAIRMAN: (Mr. Baird) Order, please! you were speaking on the amendment?

MR. S. NEARY: Yes, Sir. I was just taking a little legal advice from my colleague here.

Mr. Chairman, the Public Tendering Act is so full of holes that you could line up a hundred tandem trucks, fifty bulldozers -

MR. D. JAMIESON: Those tractor trailers.



MR. S. NEARY: - 125 tractor trailers, twenty-five army tanks and drive them all through the Public Tendering Act. That is how big the holes are in the Public Tendering Act. And the government are now going to pass that act that has no teeth, that toothless act onto the municipalities under this bill.

Mr. Chairman, if the government and especially the President of the Council (Mr. W. Marshall), the Government House Leader, are sincere in saying that they are going to amend the Public Tendering Act, then let us trot out the amendments to the Public Tendering Act, let us not create a situation where when the government does amend the Public Tendering Act they are going to have to amend a dozen other acts. This act will have to be amended again, why waste the time of the Legislative draftsman? Why pay Legislative draftsmen \$60 and \$80 an hour of taxpayers' money? Why waste their time and then have to bring in amendments to this act? Why not do it now? Why do we have to wait until the amendments are brought in for the Public Tendering Act? Why can we not put that little - two words in this act? Why do we have to wait? Why does not the hon. gentleman -

MR. W. MARSHALL: (Inaudible) some reason (inaudible)

MR. S. NEARY: Some reason. Oh, well, I will sit down if the hon. gentleman is going to move an amendment.

AN HON. MEMBER: Sit down.

MR. MARSHALL: No, speak on the amendments.

MR. S. NEARY: No, sir, the hon. gentleman will have his chance to speak on the amendment. The hon. gentleman who claims to be the godfather of the Public Tendering Act in this Province, who is now passing on a Public Tendering Act to the municipal council that has no teeth, that could become the subject of political interference if ministers wanted to use the big stick with municipal councils. We already saw an example in this Province where the Minister of Lands and Forests blatantly violated the Public Tendering Act and all he had to do was to say, all the minister said was that I did it with the blessing -

MR. J. MORGAN: Do not fool yourself.

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MR. S. NEARY:

- of Mr. Moores and I did it with the blessing of my colleagues in the Cabinet.

Now, what will happen, Mr. Chairman, when it is discovered six months, a year or so from now, that some municipality did the same thing? Could they not say, well, we did it but the Minister of Municipal Affairs and Housing (Mr. N. Winsor) knew about it, the government knew about it so, therefore, everything is okay? It is okay to break the law as long as somebody knows about it.

MR. CARTER:

Is that the way (inaudible)

MR. NEARY: Mr. Chairman, I wish the weather would get fine so the hon. gentleman would go back to his savory patch.

MR. JAMIESON: Go out and stuff a few turkeys.

MR. NEARY: Yes, well, this is the time of year when he should be out stuffing a few turkeys.

Mr. Chairman, the matter of public tendering is a very serious matter, very serious indeed. If I had my way there would be no extensions of contracts, no extensions.

MR. J. CARTER: No Public Tender at all (inaudible).

MR. NEARY: Oh, is that so? That is what the hon. gentleman thinks. The hon. gentleman is not the only one in this House. He does not have a monopoly on purity you know. There are other people who feel that things should be done right and proper and above-board just as much as the hon. gentleman. But Mr. Chairman, I am appealing to hon. members on the government benches to go along with this amendment if they are sincere in trying to reform the public tendering procedures in this Province. I doubt very much if we will hook one. I doubt if we will get one. I know we will not get the Minister of Forestry and Agriculture, I can forecast that, I will predict it for you right now, because the hon. gentleman is the expert at getting around the Public Tendering Act.

MR. CHAIRMAN: (Mr. Baird) Order, please. I would like to remind the hon. gentleman for LaPoile that we are discussing the amendment.

MR. NEARY: Yes, Sir, we are discussing an amendment to the public tendering procedure of this bill. And we were told by the Minister of Municipal Affairs (Mr. Windsor) that they cannot accept the amendment even though the Minister says he personally agrees with it. He says that he is very sympathetic, but he cannot speak for the government. Well, who can speak for the government? My hon. friend who was a minister in the government of Canada, did the hon. gentleman ever try wearing two hats, and say one minute I am not speaking for the government and the next minute I am speaking for the government? The only way you can do that is resign. The hon. gentleman cannot say, cannot take the feeble position that he agrees with it personally but he cannot speak for

MR. NEARY: government. Well who can? Would somebody over there who can speak for the government get up and tell us what is going to be done about this loophole in the Public Tendering Act? And will somebody tell us why they cannot vote for my hon. friend's amendment that is so reasonable, that seems to be so fair?

MR. J. CARTER: Sit down and give somebody else a chance.

MR. NEARY: I will sit down. If the hon. gentleman wants the floor, he can have it. Does the hon. gentleman want to get up to speak?

Mr. Chairman, I would hope that members on both sides of the House would support this simple, but important, amendment. Just put in two words. You know, Mr. Chairman, I have to say this about this bill and about the bill that the Minister of Education (Ms. Verge) was so anxious to ram through this House, I do not believe that the government has accepted one amendment from the Opposition. I do not believe they have accepted one. We saw a couple of amendments this afternoon that were the result of a debate that took place in this House a year ago, but I do not believe that the government has accepted one amendment made by the opposition, and this is the crowd that get up to tell us they brought democracy back to Newfoundland. The democracy they are talking about is one-sided. If it comes from this side then it is partisan politics. So I believe, Mr. Chairman, it is time now that the government showed a little common sense and showed their sincerity by accepting this amendment. At least we will be able to say that in these two bills that are going to affect the daily lives of people in this Province, that are an intrusion into people's privacy and into their personal lives, that at least the government will be able to say well, we accepted one amendment from the Opposition, we did not turn them all down. We do not have to wait until next year to amend this bill. God only knows, Mr. Chairman, we may never see amendments to the Public Tendering Act, never. I am sure that there will be a bitter struggle in

MR. NEARY: Cabinet by ministers who are experts in getting around the Public Tendering Act saying <sup>no</sup>, no, do not do that, give us a little elbow room, give us a little leeway, do not amend the Public Tendering Act. And we will never win, we will never see this act amended.

AN HON. MEMBER: (Inaudible) friends.

MR. NEARY: That is right. They may have too many friends they want to look after, and so they have got to leave a few loopholes there so that

MR. S. NEARY: people who want to violate the Public Tendering Act can do so by merely saying, " Well, I broke the Public Tendering Act but the minister or the Premier or the Cabinet knew all about it."

AN HON. MEMBER: Hear, hear!

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

MR. W. MARSHALL: Just a few words, Mr. Chairman. First of all, it is the Minister of Municipal Affairs who speaks for the government. All I am doing is just endorsing what the Minister of Municipal Affairs has said with respect to the bill and what the minister has said is that - you know, the suggestion coming from the hon. member for Grand Bank ( Mr. L. Thoms) has not been taken lightly, it has been taken very seriously, and it will be considered, and very seriously considered, in relation to other recommendations that may come with respect to the change in the overall tendering position of the government, the Public Tendering Act. Now, to put in an amendment in committee of this nature, I would suggest to the hon. member, could be somewhat dangerous because if you are going to provide that there can be an extension at less than the unit price, you can be talking about fairly big dollars when you are talking about an extension. It says here an extension is defined up to fifty percent of the amount of the contract, so if we are going to do that, and certainly it is going to be considered very carefully, you are also going to have to consider regulations probably extending the act itself to provide that extensions, when they arise, must occur immediately after the contract, they cannot occur a year later, for instance, when the unit price perhaps may fall dramatically and somebody can be given just a few dollars under the unit price whereas it has fallen substantially more and it is better, more propitious, to call public tenders again for the full contract price. So what we do not wish to do, we do not wish to create a loophole through which a huge ten ton truck can drive. So what the minister is saying is that - and this shows the value of the committee; the suggestion has been made by the hon. member, the suggestion has not been taken lightly, we will not only take it - and it is not just the hon. member's suggestion, also the hon. Minister of Lands and Forest (J. Morgan) made this

MR. W. MARSHALL: in his impassioned defence of the Public Tendering Act down before the Public Accounts Committee, and others. So, you know, I mean nothing, as you say, as we know, nothing is written in stone. We will be taking a look at the tendering procedures and the Tendering Act, and this act and the tendering aspects of this act and we can guarantee this committee that any amendments that will be brought in will be amendments to strengthen the act itself rather than any way to weaken it. So we would not want to make this amendment right now here in committee without seriously weighing and considering it as to how a loophole could occur, for instance, in the instance of the unit price dropping dramatically and the contracting taken up a year later and then that itself being used to circumvent the provisions of public tendering. So, you know, that is the position the government is taking, and I think it is a sensible one that the minister is taking with respect to it. Now, you know, members can get up all day long and debate with it and debate on it and say it should be done because of A, B, C, D, E, F and G. We say we will take it into consideration. And the fact that the amendment may or may not be defeated, but just say the amendment is defeated, that does not mean that we are not taking the words of the hon. member seriously and that his contribution to the committee on the bill and on this particular section has not been of great value.

MR. CHAIRMAN: On the amendment the hon. the Leader of the Opposition.

MR. JAMIESON: Yes, Sir. The hon. the President of the Privy Council has said we can get up and debate all day and all night on these points. I do not intend to do that, but I do think that some of the points that he has made are surely so specious in this particular case that what they honestly do reflect is that the government did not, despite the fact that the Minister of Lands and Forest many, many months ago indicated that this situation was an improper one and something that ought to be changed, that they brought this wording in without having given any decent thought to it. And I submit that the hon. President of the Privy Council is simply reiterating in different words what was said by the hon. member for LaPoile (Mr. Neary) and that is that it is just not the attitude of the hon. member or the hon. minister

MR. JAMIESON: to accept any amendments that come from this side regardless of how valid and how appropriate they may be, and that has been the record and it has been the record for the last month or so that we have been in this House. We get all kinds of words from the other side saying that that makes sense, that it is logical what the opposition is saying, and we are going to take it under advisement. In the meantime, we are being asked this afternoon to enact into law something which the other side has already said is questionable



MR. JAMIESON:

value. We have already had ministers indicate it, we have already had the responsible minister indicate, then he thinks there is validity to it. Now, if some other form of words would suit the hon. President of the Privy Council (Mr. Marshall) better, we have no particular pride of authorship on this side, but to argue, as the hon. President of the Privy Council has done, that a year from now some way or other the price may be lower is to surely fly in the face of virtually every single, solitary contract that this government, or any other government or any private organization or anybody else has done in the last five, seven, eight, ten years, because in 99 per cent of the cases the prices are going to go up. If the hon. the President of the Privy Council would like to add words to the effect, "within a period of 'x' months", or something reasonable of that sort, then, of course, we would be happy to consider it. On the other hand, to suggest that we should enact into law right now, here and now, this afternoon, within the next fifty-five minutes, that we should put into law something which the government itself, the government itself, has said, through one of its spokesmen and through a general attitude opposite, is of questionable merit, to do that, it seems to me, is to be just too stubborn to see that this side can come up with, once in a while at least, regardless of what contempt we may be held in by the hon. the President of the Privy Council, who time after time after time just simply shoots down everything we say, no matter how much contempt we may be held in, I would like to remind him that even a stopped clock is right twice every day, and there are things that can come from this side of the House that are worthwhile and important to the people of this Province. Now you are on a very sticky wicket when you start saying that sure, there is merit in this. We can quote ministers as having said that that is the case, and that there is a very simple, simple, straightforward kind of amendment. When we talk about the occasional case, and let us even admit that there may be the occasional case when there would be lower prices

MR. JAMIESON: - I cannot imagine them but they may exist - in the meantime and for as long as it takes hon. members opposite to consider what they are going to do, bring it all back in here again, go through the whole routine again, in the meantime, municipal councils in every part of this Province are bound by what is conceded to be a faulty piece of legislation in terms of the Public Tendering Act. If the hon. member is going to suggest that we have to wait until the whole of the Public Tendering Act is brought back into this House, if he is going to suggest that that is the place where it is going to come, then we know, we know, that it is going to be months and, perhaps, even longer before anything is done to change it. In the meantime, we are maybe not even talking about huge sums of money here, but anybody who has had to deal with, as the minister has, small communities and various councils who are doing everything they possibly can to make a few dollars go as far as they possibly can go, would surely say that beginning with the passage of this bill a municipal council should have the right to at least say at the end of a given period in a contract, "Well, if it is going to be continued and we can get it for a lower price", and that is all my colleague is asking for, nothing more than that, "if we can get it for less and save that council some money, we are going to do it". Now, if you gentlemen and ladies opposite want to say that because of some questionable doubt in your minds, one way or the other, you are going to lock the councils until such time as you have had a chance to make up your minds on the subject, with no indication as to when it is going to be changed, then we will vote for this amendment and we will make sure that the councils understand that we were trying only to save them some money. That is all that was involved.

SOME HON. MEMBERS: Hear, hear!

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

MR. MARSHALL:

Mr. Chairman, I have no desire to get into the impassioned type of speech made by the hon. Leader of the Opposition (Mr. Jamieson), except to remind the hon. Leader of the Opposition that this is a very beneficial section itself because it extends the public tendering proceedings to councils as this government or this party extended the public tendering proceedings to the whole governmental affairs of this Province. At that particular time, it was the party that he embraced then and he continued to embrace, that was too busy pushing off contracts out through the backdoor to their friends to bother about public tendering. The fact of the matter is, Mr. Chairman, these matters aside, I say to the hon. Leader of the Opposition that there have been instances, there have been many instances in Committee, there have been instances in the Matrimonial Property Act, where amendments from the Opposition were considered and were adopted.

MR. W. MARSHALL: All that we have said with respect to the hon. member for Grand Bank (Mr. Thoms) is that an amendment of this nature could have far-reaching implications in an adverse aspect, and we wish to be quite sure that the proposal by the member for Grand Bank, the Minister of Lands and Forests (Mr. Morgan), if it comes out in the Manoney Commission, as it may be, which, as the hon. Leader of the Opposition realizes, is a commission that is looking into, amongst other things, the Public Tendering Act itself, that when all of these things come in together, then we will consider them, and if they are beneficial and if they do in fact strengthen the Public Tendering proceedings of this Province we are quite prepared to bring them in; this is what we are saying. But we are also saying that at this particular stage of the game to look at an amendment and to endorse it without weighing as to its effects in other areas, and it can have certain adverse effects in other areas, that we are not prepared to do it at the present time. But that certainly does not mean that we are not prepared to consider it, both this Bill and the Public Tendering Act at another time. And you cannot be more reasonable than that, Mr. Chairman.

SOME HON. MEMBERS: Hear, hear!

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

MR. L. THOMS: Mr. Chairman, I do not think that you can be more reasonable than this particular amendment that we have asked for. I would like to just go back to something I said yesterday when I said that this whole procedure is somewhat of a farce. If we cannot make reasonable amendments to certain legislation in this House, then I am wasting my time, everybody on this side of the House, we are all wasting our time. There is no good argument that the President of the Council (Mr. Marshall) nor the minister can give us for not supporting this amendment. Now the only reason, and let us be honest about it, that you are not supporting this amendment is because it was moved by somebody on this side of the House. That is the only reason!

AN HON. MEMBER: Why do you not let 'Jim Morgan' move it?

MR. L. THOMS:

I would only be

too happy to withdraw my motion if the Minister of Lands and Forests (Mr. Morgan) would like to move the amendment and correct the flaw that is in the Act, the one that he brought to light. I am quite prepared to give him credit for having brought this particular flaw in the Public Tendering Act to light, and one which he says costs the government thousands and thousands of dollars. So what are we doing now? We are passing along this flaw in the Public Tendering Act to the councils and it can cost them thousands and thousands of dollars. And it is going to cost them thousands and thousands of dollars because the hon. members on the other side of the House are too stubborn and pig-headed to agree to this very reasonable amendment. The hon. President of the Council (Mr. Marshall) says that when we discussed the Matrimonial Property Act that they considered our suggestions and our amendments and granted certain amendments to us. I challenge the President of the Council, I was here through the whole debate on the Matrimonial Property Act and I cannot remember one single, solitary amendment that we put forward that was agreed upon by the government! Not one single, solitary amendment! But the President of the Council gets up in this House this afternoon and says, 'Oh, well, we agreed to amendments when we discussed the Matrimonial Property Act'.

AN HON. MEMBER:

Are you going to vote for it 'Jim'?

MR. L. THOMS:

I cannot remember them. But, as I say, I think I sat through every argument in connection with the Matrimonial Property Act. Maybe the Minister of Education can advise me differently as to amendments that we made that were agreed upon by the government.

MS. VERGE:

(Inaudible) guardian.

MR. L. THOMS:

Did we make such an amendment?

AN HON. MEMBER:

What was that?

MR. L. THOMS:

Having to register as the Supreme Court as a guardian.

MS. VERGE:

Where the other (inaudible) is the guardian of (inaudible).

MR. L. THOMS: Are you sure that was not brought in as an amendment by the government?

MR. S. NEARY: We might have made a suggestion and then the government put forward the amendment.

MR. L. THOMS: I do not think the amendment came from this side of this House. I do not think there were any amendments that we wanted to the Act that were conceded to by the government. I just find it so very, very difficult to accept the situation such as this when the minister agrees that this should be changed, the Minister of Public Works (Mr. Young) agrees that this should be changed -

AN HON. MEMBER: Ask the member for St. John's West.

MR. L. THOMS: I am sure the member for St. John's West (Mr. Barrett) must agree to this particular amendment. He sat through the PAC meetings when this was being discussed and heard the minister say that there was thousands and thousands of dollars that could have been saved.

MR. THOMS:

if the Public Tendering Act had these two little words in it and that is all we are asking now. But, you know, the other side, the government side of this House has dug its feet in and I am sure has made a conscious decision that no matter what the suggestion is on this side of the House they are not going to accept it and not going to amend the legislation. I would be only too happy if the Minister of Forest and Lands or the Minister of Municipal Affairs wants to make these amendment.

MR. NEARY: No, he is not allowed.

MR. THOMS: I would be only too happy to sit down and let somebody from that side of the House make it. But, as I said yesterday, if we are not going to get any satisfaction with the other side of the House we might as well close it. Why wait until Christmas Eve to close the House? We might as well close it now.

MR. J. CARTER: Exactly.

MR. THOMS: Why a House of Assembly to start with? 'Exactly,' the member for St. John's North says, exactly. That is exactly what we should do, we should close up the House where the people's business is being conducted.

AN HON. MEMBER: (Inaudible) irrelevant.

MR. THOMS: That shows the hon. gentleman is irrelevant, completely irrelevant.

MR. NEARY: He just got off the plane.

MR. THOMS: After his extended weekend.

AN HON. MEMBER: There is one vote we got.

MR. THOMS: But as I said, you know, we might as well - why debate it any longer? Why wait until six o'clock? Why spend the rest of the week? Why do you not just unilaterally declare your legislation and get it over with? My problem is I look at the faces on the other side of the House and I know that there are a lot of reasonable people over there. I do not know why it is but all the stubborn, pigheaded, opinionated ones are sitting in the front

MR. THOMS:

benches. I see lots of reasonable faces in the back benches of this government. I see none in the front benches.

MR. NEARY: Arrogance loves company. They are all up front.

MR. THOMS: You know, we are asking for a very reasonable amendment, an amendment that is going to save the taxpayers of this Province. In the words of the Minister of Lands and Forests himself - no greater authority could we have than the Minister of Lands and Forests, who said that the Tendering Act prevented any negotiation on a unit price as stipulated in the earlier contract. We could not negotiate because the act says the same unit prices and who agrees if that were not so, if the act were amended as I am suggesting it be amended now to say the same or lower unit prices, he would not have been able to say that. You know, as I said, it is frustrating to stand here and to make reasonable requests, reasonable suggestions, reasonable amendments and to hear spurious arguments that come from the President of the Council as to why they cannot be accepted. It is something like the Minister of Justice and the Matrimonial Act.

As I said before this is the policy of the government. Right or wrong we are going to sink or swim with it.

No matter. This is the policy of the government. Once it is written - you say not written in stone - but once this is written, once it is brought into this House - what we are finding now is a very unreasonable attitude on the other side of the House. You just will not accept that this side of the House can make any reasonable suggestions for change in the legislation and that admitted flaw - it is not a loophole; it is an admitted flaw in this legislation - that that admitted flaw should be passed along to the councils in this Province to me is just convoluted logic and should not be so.

SOME HON. MEMBERS: - Hear, hear!



MR. CHAIRMAN (BAIRD): The hon. member for LaPoile.

MR. NEARY: Mr. Chairman, I am sure if the member for St. John's North had his way, Sir, that we would have a dictatorship in this Province. Shut the House down and just set up a dictatorship! If the hon. gentleman was over in Iran right now he would be Minister of Foreign Affairs.

MR. S. NEARY: He does not believe in negotiating or a compromise on anything, especially if it comes from this side of the House. You know, it is absolutely unbelievable, Mr. Chairman, it is unbelievable and I have never seen it happen in this hon. House before where the Minister of Municipal Affairs and Housing (Mr. N. Windsor), who is bringing in a major piece of legislation, and the President of the Council, the Government House Leader (Mr. W. Marshall) both stand in their places in this House and say, "We agree, we agree that there should be a change, we agree with the member for Grand Bank (Mr. L. Thoms) that that amendment is a good amendment, but we are not going to do it". Now, how childish can you get and how partisan can you get, because that is what it is, Mr. Chairman, as the Leader of the Opposition indicated. Anything that comes from this side of the House is suspect, the government does not want to hear tall of it, they will not go along with it even though we have seen two senior ministers in the Cabinet get up and agree that it is a good thing.

The Premier went around this Province and said that "if I become Premier of this Province, if I head up the government of this Province I am going to reform the Legislature, I am going to reform the House of Assembly. I am going to see that the House of Assembly is meaningful to the people of this Province". Now, what did the hon. gentleman mean by that? Does he mean that it is only going to be meaningful if the amendments, the suggestions and the reforms come from that side of the House? Is that what the hon. gentleman means? Did the hon. gentleman mean, he did not say so but now it is becoming increasingly obvious, the hon. gentleman did not include Her Majesty's Loyal Opposition in making the legislative process meaningful? The hon. gentleman did not mean that. And so here we are faced with a dilemma where people on both sides of the house, probably the majority, agree that this is a good amendment but yet the government are so stubborn that they will not agree to have the amendment included in the legislation.

MR. S. NEARY: Wait a year or so, the President of the Council (Mr. W. Marshall) tells them, wait a year or so. Nothing is enshrined in stone, he tells us. What foolish nonsense.

AN HON. MEMBER: Ask the Minister of Lands and Forest

MR. S. NEARY: No, I am not going to ask the Minister of Lands and Forests (Mr. J. Morgan), the expert on violating the Public Tendering Act in this Province. Besides, if I did that I would be out of order, Mr. Chairman -

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: - so therefore I am not going to do it. I will leave that to the hon. gentleman's conscience. But the hon. gentleman, trying to weasel his way out of any responsibility for breaking the law of this Province, said the act should be amended. In other words, the gentleman was agreeing that he had broken the law. There is no leeway, no elbow room, you can not negotiate, yet the hon. gentleman negotiated. And that is what we are putting into this bill, Mr. Chairman, that is what is going into this bill. And I think the government should be a little more reasonable, I think the Premier should step into this matter. The hon. gentleman was not in his seat when two of his senior ministers told this House that we have an amendment before us that they approved of, but we will not do anything about it for six months or a year or so down the line, and yet we are being asked to pass a law in this Province.

Perhaps it is time now for the hon. the Premier to indicate what he wants his colleagues to do, to indicate what he wants his Minister of Municipal Affairs and Housing to do. The Minister of Lands and Forests, I think already indicated that he wanted to speak but apparently he has been silenced. The President of the Council told him, "No, sit down, keep quite, do not open you trap, you are only going to put your foot in it -

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: - do not say anything, leave them alone, let them unwind on the other side, let them talk themselves out. Sit there like a mute. Even though you might find it difficult to restrain yourself, you are not allowed to say anything."

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AN HON. MEMBER:

That is some hard.

MR. S. NEARY:

The Government House Leader has indicated nobody, but nobody on the government side,

MR. NEARY:

now is allowed to get up and tell his true feelings, how he really feels about this amendment. The Minister of Education (Ms. Verge), there you go, the Minister of Education -

MR. THOMS:

The great champion.

MR. NEARY:

- the champion of freedom and democracy in this Province, who believes in allowing everybody to have input into just about everything, the hon. minister has sat there now for weeks on a stretch completely mute, unable -

MR. ROBERTS:

She makes her -

MR. NEARY:

- unable - beg your pardon?

MR. ROBERTS:

She makes her input felt in other ways.

MR. NEARY:

Maybe she does - unable to speak or not allowed to speak, one or the other. I am sure that the hon. minister - and I challenge the hon. minister again, I did it before under other parts of this act. I would gladly yield my seat - the age of chivalry is not yet past - I would gladly sit down and allow the minister to have a few words on this, bearing in mind that her colleague, the Minister of Municipal Affairs and Housing (Mr. Windsor), says it is a good thing. The President of the Council, the government House Leader (Mr. Marshall), says it is a good thing. How does the Minister of Education feel about it? I know the Minister of Lands and Forests (Mr. Morgan) is not allowed to speak, but I would consider the Minister of Education to be more independent - the minister is whipped into line - that the old freedom fighter is more independent, and I would hope that the minister would get up now and tell us how she feels about this amendment. Does she feel it is a good thing and, if so, should we put it through now or should we wait a year or so, first of all make this the law of the land, make this the law affecting all Newfoundlanders, but, you know, down the line in a year or so, nonchalantly, just the way of no harm, amend the act then? I never heard of a government or a legislature function that way before. Mr. Chairman, we are learning something new every day in this session of the House.

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MR. CHAIRMAN:

Is the House ready for the question?

All those in favour of the amendment 'Aye' contrary 'Nay'. In my opinion, the 'Nays' have it. Division, call in the members.

SOME HON. MEMBERS:

Division.

MR. CHAIRMAN: (Butt)

Division.

Call in the members.

MR. CHAIRMAN(Butt): All those in favour of the amendment,  
please stand.

The hon. the Leader of the Opposition,  
Mr. Flight, Mr. Hodder, Mr. Lush, Mr. Roberts, Mr. Neary, Mr. Thoms,  
Mr. Tulk, Mr. Hollett, Mr. Stirling, Mr. Warren, Mr. Hiscock,  
Mr. Bennett, Mr. Hancock.

MR. CHAIRMAN: All those against the amendment,  
please stand.

The hon. the Premier, the hon. the  
Minister of Lands and Forests, the hon. the Minister of Social Services,  
the hon. the Minister of Public Works and Services, the hon. the  
Minister of Tourism, the hon. the Minister of Labour and Manpower,  
the hon. the Minister of Municipal Affairs and Housing, the hon. the  
Minister of Finance, the hon. the President of the Council, the hon.  
the Minister of Transportation and Communications, the hon. the  
Minister of Rural, Agricultural and Northern Development, the hon.  
the Minister of Education, the hon. the Minister of Health, Mr. Doyle,  
Mr. Walsh, Mr. Stagg, Mr. Barrett, Mr. Carter, Dr. Twomey, Mr. Dawe,  
Mr. Patterson, Mr. Aylward, Mr. Stewart and Mr. Baird.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: I declare the amendment lost.

On motion, clauses 421 to 430, carried.

On motion, clauses 431 to 510, carried.

MR. CHAIRMAN: Shall clauses 511 to 520, carry?

MR. MARSHALL: Mr. Chairman,

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

MR. MARSHALL: There is an amendment to 519 (1)(c)

striking out the words thirty days and inserting the words six months  
thereafter. And this relates, Mr. Chairman, to the eligibility of a  
person qualified to be nominated as a councillor, and it gives the same  
eligibility as the eligibility for an elector to the council

MR. S. NEARY: Now we are getting on,

MR. CHAIRMAN: The hon. member for LaPoile.

MR. NEARY: I was going to wait, Sir, until we came to the rules of residency before I raised this matter, 'But now the hon. gentleman has moved an amendment under an earlier section of the act which he says coincides with the Election Act.

MR. MARSHALL: No, No. No. The qualification for electors that we now -

MR. NEARY: The qualification for an elector -  
The qualification for an elector is the same as the qualification for a candidate, the same thing, you have to be resident in the municipality for six months.

MR. MARSHALL: That is right.

MR. E. ROBERTS: Ordinarily resident.

MR. NEARY: Ordinarily resident. But, Mr. Chairman, this does not coincide with the Election Act. The hon. gentleman just made a statement that in order to qualify as a voter you had to be resident in the municipality six months.

MR. MARSHALL: Yes, it does.

MR. NEARY: No, it does not. It does not, sir.

SOME HON. MEMBERS: Yes, it does, Read the act.

MR. NEARY: Well, Mr. Chairman, if it does coincide with the Election Act, then the Premier must be wrong.

MR. E. ROBERTS: Oh, well, that is quite possible.

MR. NEARY: The Premier said he took legal advice in Burgeo - Bay d'Espoir, he did not say who he took the legal advice from, but he sought legal advice as to whether or not his candidate in that district qualified to vote, and qualified to be a candidate in the election

MR. MARSHALL: On a point of order, a point of order,  
Mr. Chairman.

MR. CHAIRMAN: On a point of order. The hon. the President of the Council.



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MR. MARSHALL:

The hon. member for LaPoile is being entirely irrelevant. He is talking about an alleged matter relating to the Election Act which is rather a sore point with him because of the result. We are now considering the municipality act of this Province; we are not considering the matter of the Elections Act at all that the hon. gentleman is talking about.

MR. W. MARSHALL: When I said in the debate that it gave the same qualification as for electors, it is the same qualification as electors for the municipal council which is set forth in this Act. Now if hon. members go scoot to that section, they will see one month, but if they want to recollect back hours and hours ago when this Bill first came before the Committee, they will recall that that was amended with their assent to six months for electors. So, number one, talking about electors to municipal council and the hon. member is out of order when he is talking about the Election Act, and number two, it is not the point of order, but I just observed he is now talking against an amendment that the hon. members in effect voted for before.

MR. E. ROBERTS: Mr. Chairman.

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

MR. E. ROBERTS: Well, my learned friend opposite just gave away his game when he said that he was not speaking to a point of order, he was in a debate. If it is submitted that the gentleman for LaPoile (Mr. Near) is irrelevant, then I think the submission is without merit simply because it is as relevant and in order as anything can be to argue by reference and that is all my friend for LaPoile is doing. He is simply saying -

MR. J. CARTER: (Inaudible).

MR. E. ROBERTS: The hon. gentleman for St. John's North (Mr. Carter) has surfaced. He has gone down again.

What I was saying before I was interrupted by my friend for St. John's North, Mr. Chairman, is that my friend for LaPoile is simply arguing by reference and that is entirely in order and entirely appropriate. If he wants to say that the amendment that is proposed is dissimilar to that which exists in some other legislation, that is in order. Now I would say this, there is an understanding we are going to try to get this Bill through the committee stage by six o'clock, but I will say to my friend for St. John's East (Mr. Marshall) if he carries on with this we are not going to be able keep that. It will all be his fault.

MR. E. ROBERTS: So let us get on with the debate, let my friend for LaPoile say what has to be said, let the hon. gentleman opposite say what they wish and we will try to get this Bill through committee stage by six o'clock and give it the burial it deserves. And it is a thoroughly bad Bill at this stage.

MR. CHAIRMAN: (BUTT) Order, please!

To the point of order, I rule that it is a difference of opinion. The hon. member for LaPoile.

MR. S. NEARY: Mr. Chairman, when I was so rudely interrupted by the President of the Council (Mr. Marshall), I was making the point, Sir, that apparently we have two sets of standards in this Province. Under this Act, Mr. Chairman, if you qualify under the amendment that the hon. President of the Council just brought in, you have to be resident six months in a municipality in order to qualify to vote.

MR. MARSHALL: (inaudible).

MR. S. NEARY: To vote and to run. Well, that is precisely what I am arguing. We have two sets of standards. And the hon. gentleman said it is taken directly from the Election Act, that is what the hon. gentleman said, Mr. Chairman. And I am countering by saying that under the two sets of standards that we have in this Province, if a man wants to vote in a municipality under this amendment that the hon. gentleman just introduced, and he goes over to Halifax and he works for the CBC Halifax for three or four years, he does not resign from the CBC, comes back to Newfoundland, takes leave of absence, runs back home and says, 'I want to vote in the municipal election wherever it is being carried on. And I only went over to Halifax, well, I just went over there with the intention of coming back to Newfoundland, now does that entitle him to vote? does that entitle him to be a candidate in a municipal election or in any kind of an election in this Province? We know that down on the Southern Shore, Mr. Chairman, we know that down in Ferryland voters were disqualified and the election was overturned because they went off to the mainland, were gone longer than six months, came back to Newfoundland and voted in the election. When it was discovered that they had not been

MR. S. NEARY: resident there for six months, then the election was overturned. So how can the hon. gentleman stand there without a smile on his face and tell us that this is the same as the Election Act? The hon. gentleman did make that statement, just to go to Hansard. That is all the hon. -

MR. E. ROBERTS: Do not give away our case now on the other one. Do not give them all our secrets.

MR. S. NEARY: Mr. Chairman, how does the minister, how does the Premier and how does the government plan on enforcing this law? Will the Minister of Justice (Mr. Ottenheimer) enforce this law? If the law is broken, will the Minister of Justice enforce it or will the government take the position that, no, let some vote or some group of people or some individual

MR. NEARY:

take action in the court, test it in the court -

MR. THOMS: They will not even investigate it.

MR. NEARY: And not investigate it at all. Will the Minister of Justice just sit back and take the Premier's attitude that he has taken towards these matters after seeking legal advice? After they discovered that this gentleman became a candidate, that he was not a resident of the Province, they rush out to get some legal advice and then let the gentleman run anyway, break the law, do the dishonest thing, let the gentleman run illegally. Is this what the government will do, that they will allow people who want to run for municipal office to break the law, that people who want to vote in municipal elections break the law? They have to go in and they have to swear an affidavit. They have to take an oath that they were resident in the municipality or in the Province for six months. They go in and perjure themselves, break the law and the Minister of Justice of this Province does nothing about it and the Premier says, let them go out and test it in the court. Is that the way the laws of this Province will be enforced, are being enforced? I think it is shameful, Mr. Chairman, for the President of the Council, who is speaking for the government, to get up and say, "Oh, we are making a law now that is the equivalent of the Election Act." And the Premier just finished telling us there a couple of weeks ago - and it is not sour grapes on my part, neither am I downgrading a fellow Newfoundlander, neither am I concerned whether or not the people want another election because I think they do. I think they realize they have been duped and hoodwinked. I think the people, I do not care where they are, Newfoundlanders do not want somebody representing them illegally. And who says they do not want another election?

AN HON. MEMBER: Your leader.

MR. NEARY: Who says they do not?

MR. JAMIESON: I did not.

MR. NEARY: The hon. gentleman did not say it.

AN HON. MEMBER: Well (inaudible) one of you said it.

MR. NEARY: Well, I do not care who said it. Who are we to speak for a people -

AN HON. MEMBER: I certainly did not say it.

MR. NEARY: No, certainly, and nobody with a grain of sense would say it. Mr. Chairman, this whole thing is just a complete farce. The government have no intention of living up to this amendment, living up to this qualification to vote in a municipality or a qualification to run as a candidate, just a farce.

AN HON. MEMBER: They should.

MR. NEARY: Ah, they should. All the Premier will do one of these days is just say, "Ah, he is a Newfoundlander." Well, I tell you the most ridiculous thing I ever read in my life was Wick Collins the other day saying, "Oh, this man is a Newfoundlander". So that is fine, he can go out and break the law, he is a fellow Newfoundlander, break the law of the land, of this Province and then force people to go to the trouble and the expense and the inconvenience of taking it to court for months and months when everybody knows, everybody but everybody in this Province knows but the Premier and his colleagues, who have spent \$40,000 to try to get a gentleman elected to this House illegally, everybody in the Province knows it. And that is a gentleman who told us there a few weeks ago how honest he was, how sincere he was and he was not going to do things that were done in the past. Well, now is the time for the hon. gentleman to show how sincere he is and come out man-fashion and tell the people of this Province that he did something wrong, that it was dishonest, that it was illegal and he is sorry and ask that gentleman to step aside and have another by-election down in that district where the hon. gentleman got his candidate elected illegally.

MR. ROBERTS: Hear, hear!

MR. CHAIRMAN (Butt): The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Chairman, I have no intention of entering into the debate while the hon. gentleman is going on that line of thought. I just want to clarify for the record that this particular amendment is here as a result of discussions I held with the Federation of Municipalities at their request and to alleviate their fears that it is quite possible with impending developments, particularly in oil, that persons could come in, companies, corporations, whatever could come into a municipality just prior to an election and could take over the full council, they could indeed run a full slate of candidates with good financial backing and PR people and so forth. So this amendment is here as a result of a direct request from the Federation of Municipalities.

On motion amendment carried.

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On motion, Clauses 511 through to 600,  
carried.

MR. THOMS:

Do not quit now

MR. CHAIRMAN: (Butt)

Oh, I am sorry, there is more here.

One moment please.

MR. ROBERTS:

Shall more carry?

SOME HON. MEMBERS:

Carried.

On motion, Clauses 601 through 620, carried.

MR. CHAIRMAN:

Shall Clauses 621 through to 630, carry?

The hon. the President of the Council.

MR. MARSHALL:

There is a slight amendment to 629 which

will add a subsection to it which will read, "Where a local service district committee is disestablished, Sections 490 to 498 apply with necessary changes", and those sections relate to the appointment of a receiver, Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for the Strait of Belle Isle.

MR. ROBERTS:

Mr. Chairman, slayed by the minister's

eloquence, we will accept the amendment.

MR. JAMIESON:

Which is more than we can say for the

other side.

On motion, amendment carried.

On motion, Clauses 621 through to 630

as amended, carried.

MR. CHAIRMAN:

Shall Clauses 631 through to 640, carry?

The hon. President of the Council.

MR. MARSHALL:

Mr. Chairman, there is a slight amendment

to 636 adding the word, 'service', immediately after the word, 'local', so that it reads: 'a local service district committee' in Section 636.

On motion, amendment carried.

On motion, Clauses 631 through to 640

as amended, carried.

MR. CHAIRMAN:

Shall Clauses 641 through to 648 carry?



MR. MARSHALL: 641 to 648?

MR. CHAIRMAN: (Butt) Yes.

MR. MARSHALL: There is another amendment there in Section 643(m) by striking out the word, 'order', and substituting the word, 'disallowance or discontinuance', and this amendment has been on the desks of hon. members for a while and I do not believe there is any need to elucidate; at least I hope they are not going to call me.

MR. E. ROBERTS: What was the amendment again?

MR. MARSHALL: By striking out the word, 'order', and substituting the words, 'disallowance or discontinuance'. So it reads 'prescribing how such disallowance or discontinuance shall be made known.'

On motion, amendment carried.

MR. MARSHALL: On 644, Mr. Chairman, there is another one as well, striking out the words -

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

MR. MARSHALL: - striking out the words, 'water supply and sewerage systems', and substituting the words, 'carrying out the purposes and provisions of this part', so I will not paraphrase now the change in the sections and that is the amendment.

MR. CHAIRMAN: Shall the amendment carry?

MR. ROBERTS: Mr. Chairman, I have no objection to the amendment. I think it should simply be noted and I am not going to say more than I query the wisdom of it. We are giving these local service committees, which are a pretty rudimentary form of municipality, the power to expropriate. Now I know it is subject to the approval of the minister and I am not objecting, but I will simply note that it is one more example of the incredible power that this House has time and time again - and, I venture to suggest, without a great deal of thought on anybody's part - vested in bodies around the Province. There will be another time to talk about it, but I want to say that at some point we in this House should consider adopting some overall legislation to govern the exercise by bodies using powers conferred by this House, be it

MR. ROBERTS: a government department or a corporation  
of some sort -

PREMIER PECKFORD: (Inaudible) all legislation relevant  
to expropriation.

MR. ROBERTS: Well, I agree with the Premier. Not only  
should we consolidate that but I would go further, the whole - you know,  
we have a moment or two -

AN HON. MEMBER: The whole principle of expropriation.

MR. ROBERTS: - the whole principle of expropriation.  
But more than that, it would be well worth our while to look, for  
example, at the powers conferred, say, on officers of the departments  
to go in. You cannot seize papers in this Province or anything  
without, say, a court order, but an official who is given some power,  
you know, an instrument signed by a minister acting properly and  
appropriately under legislation, can go in and make a mockery of the  
freedoms which we believe we have. Now, this is not the time to go  
into it, I just simply want to note this is one more example of a  
potentially very significant power being vested with no check upon  
it at all. It might be a suggestion the Premier and his colleagues  
might want to consider to think of a standing or select committee  
to look into this whole question of statutory powers, perhaps the  
wisdom of bringing in an act

MR. ROBERTS:

to govern the exercise of powers by officials. We have vested, the present administration and their two predecessors have vested in officials incredible powers, Mr. Chairman, and this is just one more example in this particular section. A local service committee, which is a pretty rudimentary form of government, would have the power, subject only to the approval of the minister, to expropriate, and that is a power indeed. Now I am not going to object to it but I do think it should be noted and I would make the suggestion in all seriousness. I think it is one the Premier and his colleagues might wish to look at. We want to talk of reforms. That is probably as significant a single reform as this House could now look at. It is the sort of thing that could profitably occupy a select committee for a session and then bring in some recommendations and see if we can improve the situation with a view to protecting the basic freedoms of the citizens in this country.

AN HON. MEMBER:

Hear, hear!

On motion amendment carried.

On motion Clauses 641 to 648 carried.

On motion Schedules (A) and (B) carried.

MR. CHAIRMAN:

Shall Schedule (C) carry?

MR. MARSHALL:

Mr. Chairman, there is one final amendment to Schedule (C).

MR. CHAIRMAN:

The hon. the President of the Council.

MR. MARSHALL:

Adding immediately after the words, 'a Municipal Grants Act' the following, "the Newfoundland Geographical Names Board Act, 1974 be amended by adding immediately after Section 8 the following, "8 (1), nothing in this Act limits the power and authority of the Lieutenant-Governor in Council by order under the Municipalities Act to prescribe change in names of towns, committees and/or regions"

MR. ROBERTS:

Nothing in this act permits?

MR. MARSHALL:

Limits, I am sorry, limits. Did I say permits?

MR. ROBERTS: Just a word of explanation.

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

MR. ROBERTS: Would the effect of the amendment be to allow the Governor in Council, using his powers under this act, to designate a community, to create the community of, you know, Middle Arm North and that that would be the name of the community notwithstanding the fact that the Nomenclature Board may not have acted to use their powers to designate that geographic name? Is that what the amendment is about?

MR. MARSHALL: As far as I understand it. Perhaps the Minister of Municipal Affairs.

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

MR. WINDSOR: As I understand it, and I will have to check on that in some more detail, Mr. Chairman, it brings it in line and recognizes the authority that the board has. But I am not sure -

MR. ROBERTS: (Inaudible) is just the other way around.

MR. WINDSOR: Yes.

MR. ROBERTS: (Inaudible) I certainly would not delay the Committee on it, but I would be grateful if the minister as his convenience could maybe drop me a line on it. I understood the point of the effect of the amendment, I should say, was just the other way around.

On motion Schedule (C) with amendment carried.

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

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

MR. SPEAKER (SIMMS): Order, please!

The hon. member for Conception Bay South.

MR. BUTT: Mr. Speaker, the Committee of the Whole has considered the matters to it referred, have passed Bill 58 with amendment and ask leave to sit again.

On motion report received and adopted.

On motion amendments read a first and second time. Bill ordered to be read a third time on tomorrow.

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

MR. MARSHALL: Mr. Speaker, I move that the House at its rising do adjourn until tomorrow, Tuesday, at 3:00 P.M. and that this House do now adjourn.

MR. SPEAKER: It is moved and seconded that this House do now adjourn. Is it the pleasure of the House to adopt said motion? Those in favour "Aye". Contrary "Nay". Carried.

MR. ROBERTS: Just before, Your Honour -

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

MR. ROBERTS: First of all, on third reading, you know, we feel we have honoured our commitment as my colleague, the Leader of the Opposition, gave it and we have no intentions of debating third reading tomorrow. Whatever we have thought about this bill we have said it and that is it. But, secondly, I wonder if my learned friend from St. John's East (Mr. Marshall), the House Leader on the government side, could indicate the programme. I understand we are going to go into legislation

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MR. ROBERTS: and could he indicate whether we are going to take it in the order in which it stands on the Order Paper or what, so that we on this side can prepare ourselves for the fray on the morrow?

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

MR. MARSHALL: Mr. Speaker, it would be hoped to do Order 14. Now, I am maybe looking at -

MR. ROBERTS: (Inaudible).

MR. MARSHALL: No, Order 15, I believe it is, on today's Order Papers.

MR. ROBERTS: What is the name of the bill, Lower Cost -

MR. MARSHALL: Lower Cost Prescription Drugs tomorrow, and then we would take them - the others that I have given the hon. member, and we would take them in their order and go through, you know, down through the Order Paper, but we would like to put that one first.

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

MR. ROBERTS: I thank my hon. friend, and we will be ready tomorrow to debate, and he and I might have a word because there are one or two of those bills that may require a little more, but certainly we will do the Lower Cost Drug one and start tomorrow and we will go on from there.

PREMIER PECKFORD: (Inaudible) get through verbally co-operate (inaudible) problem (inaudible) hold off until later on.

MR. ROBERTS: There are a couple we want to debate.

PREMIER PECKFORD: Yes, but we wanted to hold off because the debate would take too long and make sure you would have more time to debate it in February or whatever, no problem.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 3:00 o'clock.

VOL. 1

NO. 47

I N D E X

ANSWERS TO QUESTIONS

TABLED

MONDAY, DECEMBER 10TH, 1979

Mr. Rideout (Baie Verte-White Bay) - To ask the Honourable the Minister of Transportation and Communications to lay upon the Table of the House the following information:

- 10 1973
- (a) List all maintenance projects, other than normal maintenance, that was carried out on any roads in the district of Baie Verte-White Bay this past construction season.
  - (b) What projects (if any) were carried out by the maintenance forces of the Department of Transportation and Communications and what was the total cost of such projects?
  - (c) What projects (if any) were carried out by private individual(s) or contractor(s)? Name the individual(s) or contractor(s) and the cost of each project carried out.
-



ANSWER TO QUESTION NO. 55 ASKED BY THE MEMBER FOR BAIE VERTE - WHITE BAY DIRECTED TO THE HONOURABLE THE MINISTER OF TRANSPORTATION AND COMMUNICATIONS APPEARING ON ORDER PAPER OF NOVEMBER 14, 1979

- (a) There were none.
- (b) Maintenance forces of the Department of Transportation and Communications carried out upgrading and major repairs to drainage facilities to roads in and around the Communities of Seal Cove, Wild Cove, Coachman's Cove and Fleur de Lys to the total value of \$150,000.00.
- (c) See Below.

<u>CONTRACTOR</u>	<u>PROJECT</u>	<u>APPROX. COST</u>
Lundrigans Limited	Reconstruction Baie Verte - Fleur de Lys and Coachmans Cove	\$1,707,500
Lundrigans Limited	Reconstruction Baie Verte - Seal Cove km 4 - 13.6	\$1,020,400
L. Singleton Limited	Granulars Baie Verte - Seal Cove km 0 - 13.6	612,900
R. Pike Construction Co. Ltd.	Guide Rail Baie Verte to Fleur de Lys/Coachman's Cove and Baie Verte to Seal Cove	77,900
L. Singleton Limited	Reconstruction Westport Road	<u>807,400</u>
	<u>TOTAL</u>	<u>\$4,226,100</u>