

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
10:00 a.m. - 1:00 p.m.  
FRIDAY, DECEMBER 4, 1981

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

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MR. MOORES: Mr. Speaker.

MR. SPEAKER: The hon. member for Carbonear

on a point of order.

MR. MOORES: Mr. Speaker, before we get into the procedure if I could rise on a point of order. Mr. Speaker, yesterday I brought to your attention to the presence of this document, purportedly from the person or persons engaged in the staffing of the Memorial University newspaper, the Muse. However, Mr. Speaker, it is my understanding that any material that is distributed in this House must be either authorized by the Speaker to be disseminated, or it must come from some member of the House. I wonder, Mr. Speaker, if you could inform the House, through whatever means necessary, who authorized the distribution of this material which contains both misleading statements and some very serious propoganda smearing.

MR. MARSHALL: Mr. Speaker, that is not a point of order.

MR. SPEAKER: Yes. Obviously it is not a legitimate point of order in terms of practices of the House that I am aware of. There have been many occasions where members have distributed letters or whatever that the Chair has never been aware of. I have no knowledge of the particular letter that the hon. member is referring to or who distributed it. But I do know that it has happened in the past.

STATEMENTS BY MINISTERS:

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

MR. OTTENHEIMER: Mr. Speaker, the statement I am about to make now, in the absence of the hon. member who is the Justice spokesman and in the absence of the Leader of the Opposition (Mr. Stirling), I made a copy available about fifteen minutes ago to the Opposition House Leader.

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MR. OTTENHEIMER: Copies will be distributed to all hon. membes after I have made it.

The report of a Provincial Court inquiry, conducted between January 21, 1980, and November 23, 1981, by Provincial Court Judge A. S. Legrow of Grand Falls is being tabled today for the information of hon. members of the House of Assembly and the general public. It was conducted pursuant to The Summary Proceedings Act and covers the fire which occurred in the apartment of Dr. Thomas Farrell at Elizabeth Towers, St. John's, Newfoundland.

Section 29 (1) provides as follows:

"29 (1) The judge who holds an inquiry shall, after hearing the testimony adduced at the inquiry, send to the Attorney General a written report that includes:

"(a) the conclusions of the judge as to the cause and origin of the fire or the cause of death, as the case may be;

"(b) all the evidence taken at the inquiry;

"(c) any recommendation the judge may have as a result of the inquiry."

For the purpose of refreshing the memory of hon. members, it might be worthwhile to out in chronological order the sequence of events from the time of the fire untill now.

In the early morning of April 26, 1978, a fire was discovered in Apartment 512 on the fifth floor of Elizabeth Towers, Elizabeth Avenue, St. John's. This appartment was occupied at the time by Dr. Thomas Farrell.

An investigation was conducted by the Newfoundland Constabulary in conjunction with the office of

MR. OTTENHEIMER: Fire Commissioner. Reports were submitted to the Department of Justice for assesment by the then Director of Public Prosecutions and his staff. Two of the reports were dated June 7, 1978, and July 12, 1978.

On October 16, 1978, a charge of arson, under Section 389 (1) of the Criminal Code was laid against Dr. Farrell. He appeared in Provincial Court, and elected trial by Judge and Jury. A Preliminary Inquiry began before Judge Joseph LeClair on December 18, 1978. On December 21, 1978, Judge LeClair dismissed the charge against Dr. Farrell after finding that there was insufficient evidence to commit him to trial. A formal Judgement was delivered on February 8, 1979.

On February 23, 1979, Judge  
Lloyd P. Soper was appointed by the Lieutenant-Goverment in Council under the Public Enquiries Act as a Commisioner to inquire into the publication of the

MR. OTTENHEIMER: police reports on the investigation into the fire at Elizabeth Towers and related matters.

One of the recommendations made by Judge Soper was that an inquiry be held under The Fire Prevention Act or The Summary Jurisdiction Act.

Shortly after I was appointed Minister of Justice and Attorney General, I received the first report of the Soper Commission containing the recommendations indicated, that is, the recommendation that there be a provincial court inquiry. Accordingly, in an effort to provide for as full disclosure of the facts as was humanly possible, on August 21, 1979, I announced the appointment of Judge A.S. LeGrow of the Provincial Court to conduct the inquiry recommended by the Soper Commission. This inquiry was to be conducted pursuant to The Summary Jurisdiction Act.

Judge LeGrow's report is now  
being made public.

In a matter of this nature, the Director of Public Prosecutions and his senior staff have the duty of advising the Attorney General as to whether the evidence warrants the laying of criminal or other charges. I have complete confidence in the integrity and ability of these officials. I wish to point out, however, that both Mr. Cyril Goodyear, who is at present Associate Deputy Attorney General and Director of Public Prosecutions, and Mr. Robert Hyslop, who is now Assistant Director of Public Prosecutions, have had a previous involvement in this matter. Mr. Goodyear was Chief Judge of the Provincial Court during the period of the preliminary inquiry and at the time of the establishment of the provincial court inquiry. Mr. Hyslop conducted the prosecution of the charge for the Crown at the preliminary inquiry.

MR. OTTENHEIMER: As I have already indicated I have complete confidence in their objectivity.

It is generally agreed, however, that not only must fairness, legal objectivity and justice be done, they must also be seen and understood to be done. Because of the previous involvement of the Director of Public Prosecutions and the Assistant Director of Prosecutions it seemed appropriate in this case to seek additional legal advice as to whether criminal or other charges should be laid and to seek such legal advice from a person having no previous involvement.

I have therefore asked the Honourable Robert S. Furlong, former Chief Justice of Newfoundland, to advise me as Attorney General as to whether there is sufficient evidence on which a criminal or other charge or charges may be laid, and if so, what the nature of that charge or those charges should be and against what person or persons such charge or charges should be laid.

I am pleased to advise the House that the former Chief Justice of Newfoundland has agreed to undertake this assignment. It is my intention to make his legal opinion public after I have received it, and the Department of Justice will be making available to the former Chief Justice all evidence, testimony, and documentation related to this matter.

I wish to thank the Honourable Mr. Furlong for agreeing to undertake this assignment.

Copies of my statement and the report are available here for distribution to hon. members and to the press, if the pages will take them, please.

MR. SPEAKER (Simms): The hon. the member for Port au Port has approximately three minutes.

MR. HODDER: Mr. Speaker, first of all, I would like to thank the minister for briefing me earlier this morning on this Ministerial Statement. It is indeed a pleasure to be informed of a Ministerial Statement ahead of time.

Mr. Speaker, the matter has been the subject of much comment in this House and in the public press of this Province and it has had political repercussions for both sides of this House. And now that the jury is in, I suppose, we find that there is really no conclusion. I think the key recommendation or the key sentence was that the only solution is that an open flame was applied to something flammable and that, either by accident or design, the flame was applied, which means that the judge came to no conclusion.

I think the minister has taken a right step in going to the Chief Justice for advice and any other comments that we might have on this side would be reserved for the time being until we can better look at the report, Mr. Speaker.

MR. SPEAKER: Before I recognize the hon. the minister, I would like, on behalf of hon. members, to welcome to the gallery today sixty Grade IX students from Mary Queen of the World school in the district of Mount Pearl, accompanied by their teachers, Mr. Gerry Glavine and Mr. Mike Collins. We hope they enjoy their visit.

SOME HON. MEMBERS: Hear, hear!



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

MR. DAWE: Mr. Speaker, I wish to clarify the situation with regard to the increase in registration fees for commercial vehicles of less than 6000 pounds or 2722 kilograms.

In deciding to increase commercial vehicle registration fees, government decided it would be inappropriate to increase drastically the fees on pick-ups and vans used extensively in this Province for personal use, and I quote, Mr. Speaker, from the appropriate submission to Cabinet: "To do so would create an unacceptable situation, since small pick-up trucks and vans would increase drastically over passenger cars of the same mass classification used primarily for the same purpose in this Province." In the translation of this policy into departmental regulations, the intent of the decision was not implemented to the fullest extent intended.

SOME HON. MEMBERS: Oh, oh!

MR. DAWE: As a result, fee regulations now being used at motor registration offices around the Province reflect an increase of \$15 for vehicles of 5000 pounds or less; an increase of \$32 for commercial vehicles between 5000 and 6000 pounds. This is contrary, Mr. Speaker, to statements that I have been making publicly for the past number of months and does not reflect the original intent of this government -

SOME HON. MEMBERS: Oh, oh!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

MR. DAWE: -which recognizes the dual purpose and use of the light pick-up truck and van in this Province. As a result, the pre-registrations which will be mailed to all registered vehicle owners over the next number of days will reflect government's original intent, which is that registration fees for all commercial vehicles of 4,000 pounds or less will increase by \$8. And as I indicated yesterday and as I have indicated over the past number of months, vehicles from 4,001 pounds to 6,000 will increase by \$15 over last year's registration fees.

MR. SPEAKER (Simms): Further statements.

MR. CALLAN: Mr. Speaker.

MR. SPEAKER: The hon. member for Bellevue has about one minute.

MR. CALLAN: Mr. Speaker, in the one minute that I have let me simply say that the minister can try to twist and confuse and do all he wants to; the fact of the matter is that there has been a substantial increase to pick-up and van owners -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. CALLAN: - and, Mr. Speaker, whether it be \$32 or whether it be \$15 or \$8, the fact of the matter is -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. CALLAN: - Mr. Speaker, that the money that will be taken in by this increase in fees, whether it is \$8 or \$15 or \$32, the amount of money that the government will take in is about equivalent to and will cover the increase that the Cabinet gave themselves one day after the House of Assembly closed back in July.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER: Order, please!

MR. CALLAN: Mr. Speaker, the government has been doing through the backdoor what they have not had the guts to do through the front door

SOME HON. MEMBERS:

Hear, hear.

MR. CALLAN:

in every field, whether it is moose licences, rabbit licences or cutting permits or whatever

MR. Speaker.

SOME HON. MEMBERS:

Hear, hear.

MR. SPEAKER (Simms):

Order, please!

The hon. member's time has expired.

Further statements.

SOME HON. MEMBERS:

Oh, oh.

MR. SPEAKER:

Order, please!

The hon. Minister of Rural,

Agricultural and Northern Development.

MR. GOUDIE:

Mr. Speaker, for the information of the House, I would like to report briefly on the special sawmill assistance programme under my department for small sawmill operators.

The programme was implemented in 1976 to provide working capital to sawmill operators during the cutting season when lumber sales are normally at the lowest point. The programme is also intended to promote employment in the woods industry during the Winter months, the period when rural unemployment is at its highest level. This will be the sixth year that my department will participate in such a programme and its continuance is due mainly to the excellent results achieved and the low number of losses experienced.

The effective period of this year's programme is November 1, 1981 to April 1, 1982.

Since the programme was implemented, Mr. Speaker, in 1976 there have been 215 loans executed with a total value of \$2,135,225.

SOME HON. MEMBERS: Hear,hear!

MR. GOUDIE: Current figures show that the rate of repayment is 92.14 per cent, 92.14 per cent recovery.

MR. DAWE: Great programme.

MR. GOUDIE: Approximately 2,500 man-months of direct employment have been created as a result of this programme. There is co-operation, Mr. Speaker, between my department and the Department of Forest Resources and Lands in terms of scaling the logs and determining exactly how much money should be allocated. The programme is available to all areas of the Province but the majority of loans have been in the Clarendville and Bonavista Peninsula areas.

And this year, Mr. Speaker, we have allocated in the Budget at least a half a million dollars to cover the programme effective November 1, 1981 to April 1, 1982.

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: Mr. Speaker.

MR. SPEAKER (Simms): The hon. the member for Terra Nova has approximately one minute.

MR. LUSH: Mr. Speaker, it was difficult to hear what the minister was saying and I do not have a copy of the statement in front of me but I - Oh, I am sorry, Mr. Speaker.

I am quite familiar with this. This is why I rose to speak on the matter. As a matter of fact, it is not gotten so easily, as hon. members might think, that this sawmill programme has been in effect, as the minister indicated for some time. The problem with

MR. LUSH: it was that it did not come early enough in the year. It was a means to help sawmillers over the Winter and many times they did not -

MR. MORGAN: (Inaudible) want to bring it in in July (inaudible).

MR. LUSH: Let the hon. member listen. If he listened, he might learn something because he does not know very much.

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: Let him listen.

MR. SPEAKER (Simms): Order, please!

AN HON. MEMBER: Be quiet, boy.

MR. SPEAKER: Order, please!  
Fifteen seconds.

MR. LUSH: Mr. Speaker, I have not been able to speak. What happened was that a brief came in -

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!  
I will allow the hon. member  
a further fifteen seconds.

SOME HON. MEMBERS: Hear, hear!

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

MR. LUSH: Mr. Speaker, the move by the minister, we welcome the move. It is a good move. It came as a representation from The Unit Two Forest Association on the Bonavista Peninsula that wanted this programmed initiated earlier. We thank the minister for having made that move and a good move for the small sawmill operators of this Province. Now we only wish that the Minister of Forestry

MR. LUSH: (Mr. Power) and the Minister of Finance (Dr. Collins) will react to that brief -

MR. SPEAKER (Simms): Order, please!

MR. LUSH: - and do the things that the sawmill operators association wanted these two hon. ministers to do.

AN HON. MEMBER: Hear, hear!

MR. LUSH: I hope they will move the hon. Minister of Rural, Agricultural and Northern Development.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Further statements?

ORAL QUESTIONS:

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I have a couple of questions for the hon. the Premier in connection with reports that are reaching our ears, and an admission by business and industry, and by people generally in this Province, that the financial capital of oil development in Eastern Canada will be established in Halifax. The life seems to be gone out of the government. They do not seem to be fighting for spin-off benefits for Newfoundland at all. The financial capital will be Halifax -

MR. MORGAN: That is not going to happen.

MR. SPEAKER: Order, please!

MR. NEARY: - over in Nova Scotia.

MR. TULK: It will take more than you to stop it.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, we hear reports every day of spin-off benefits going to Halifax and that Newfoundland will just be used as sort of a base of operation, like Calgary is the financial capital in the West, and Edmonton just services the industry. Is that what is happening in Newfoundland? Is the government fighting at all for the spin-off benefits for Newfoundland or have they given up and now letting everything go to Halifax?

MR. ROBERTS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, several days ago in this hon. House I produced a quote, and I have ten or fifteen of them down in my office that I should have brought up with me this morning in anticipation of questions. The hon. member for LaPoile asked those questions back in '76 and '77, when he blamed me personally, really, for driving the oil companies away when we stood up to the oil companies on our oil and gas

PREMIER PECKFORD: regulations and proved the hon. member for LaPoile wrong when the oil companies came and signed the oil and gas regulations. In like way the member for LaPoile (Mr. Neary), is trying to do the same thing now.

Mr. Speaker, it was this administration which persuaded Mr. Hnatyshyn, the then Minister of Energy, Mines and Resources, to establish the ice tank here on the Memorial University campus, to deal with marine related activities.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: That ice tank was to go in Ottawa or Vancouver and not to St. John's. And of course there was also a strong lobby from Halifax, and from other places in the Maritime Provinces. That is a very major facility which this administration was successful in getting in writing from Mr. Hnatyshyn, the Minister of Energy, Mines and Resources in the Clark Government.

MR. HOLLETT: You know better than that.

PREMIER PECKFORD: No. I do not know better than that, Mr. Speaker. It was done



PREMIER PECKFORD: in writing by Mr. Hnatyshyn and then later, the Liberal Government when it came in had to live up to the promise in writing from Mr. Hnatyshyn.

MR. HOLLETT: (Inaudible).

PREMIER PECKFORD: Now, secondly, Mr. Speaker - the member for Burin - Placentia West (Mr. Hollett) is getting so excited over there because he feels he has everything to do with Ottawa - I will add, Mr. Speaker, in response to the member for LaPoile's (Mr. Neary's) question: Secondly, the Government of Newfoundland is investing over \$20 million in the synchrolift, which the federal government turned down.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Order, please!

PREMIER PECKFORD: Now, Mr. Speaker, the Minister of Development and the minister responsible for the Petroleum Directorate are leaving no stone unturned to attract to this Province all the financial and economic spinoff possible. As a matter of fact, Mr. Speaker, unknown to the member for LaPoile, in the last three weeks, the Minister of Development (Mr. Windsor) has entertained and has put on two very highly successful seminars with groups of businessmen from Calgary and Edmonton for one seminar, and then groups of businessmen and financial people from Ontario in a second seminar, out of which have come contracts and deals and joint ventures between companies in Newfoundland and companies in Alberta and companies in Ontario, for which I am very proud.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: So, Mr. Speaker, we are initiating projects as it relates to research and development, we

PREMIER PECKFORD: are initiating projects as it relates to the synchrolift, and we are initiating promotional activities through the Department of Development to ensure that St. John's becomes the capital of the East Coast as it relates to marine and offshore related activities.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: A supplementary, Mr. Speaker.

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

MR. NEARY: Mr. Speaker, it would be interesting for the Premier to name some of the business that Newfoundland has gotten as a result of the seminars and meetings that he mentioned and how many jobs we have gotten as a result of these seminars that were sponsored by his colleague.

Now, only one thing the hon. gentleman said was correct, and that was that a year or two ago - and these quotes are quite correct - when I said that because of the political climate in this Province, because of the hostile attitude of this government, that spinoff benefits would not come to Newfoundland as a result of offshore development. And I am proven to be correct, Mr. Speaker, because all we have gotten so far are the evils, Nova Scotia is getting the benefits.

Now, would the hon. gentleman tell us what is happening with regard to the building of oil rigs in this Province? We had proposals from DAC and from other groups, and now we hear that oil rigs are being built in Saint John, New Brunswick and one other rig is being built in Nova Scotia. What is happening to that grandiose scheme that the hon. gentleman talked about so much, that was supposed to

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MR. NEARY:

take place in Newfoundland?

Have they abandoned that now? Have they given up hope  
on that, or have they just thrown in the towel

MR. NEARY: and are saying let everything go to Nova Scotia and New Brunswick?

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

PREMIER PECKFORD: Mr. Speaker, the Minister of Development (Mr. Windsor) is far better to answer that question in specific terms than I am and I will ask him to do so in a second. Just let me point out to the member for LaPoile (Mr. Neary) that in the recent federal budget when it related to marine facilities in Canada, there were a number of places mentioned: Halifax was mentioned, St. John was mentioned, Montreal was mentioned and Vancouver, There was no mention of St. John's at all. But notwithstanding that, Mr. Speaker, we will leave no stone unturned and whether the Opposition wants to see the activity go to Halifax, we will not allow the Liberal Party of Newfoundland to keep business away from this Province.

SOME HON. MEMBERS: Hear, hear.

MR. NEARY: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, somehow or other when you ask questions that Newfoundlanders are concerned about, the Premier points his finger across the House and says that the Opposition wants this. The Opposition are trying to stop it by asking questions, by asking the government -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: - by asking the Premier if they have abandoned hope, if they have given up and let it all go to Nova Scotia. Now, Mr. Speaker, would the hon. gentleman tell us if it is correct that executives of oil companies and their wives will not settle in Newfoundland, that the oil companies are having trouble - I do not know why whether it is the political climate or it is the other climate - but -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER (Simms): Order, please!

MR. NEARY: - is this one of the reasons why  
the empires -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER (Simms): Order, please!

MR. NEARY: - are being established in Halifax?  
Is it because of the favourable political climate of the  
government in Halifax that they can attract the -

MR. BARRETT: (Inaudible) here -

MR. SPEAKER: Order!

MR. NEARY: Mr. Speaker, the hon. gentleman  
is back in insurance -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order! Order!  
The hon. member will put his  
supplementary now.

MR. NEARY: - back in the insurance business,  
no longer with DAC.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order!

MR. NEARY: Mr. Speaker, would this be one of  
the reasons why it is so difficult to get spinoff benefits in  
this Province?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order! Order, please!  
Has the hon. member completed  
his question now then with the hon. the Premier?

MR. NEARY: Can I be protected from the  
ex-president of DAC who is now back in the insurance business?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. NEARY: Would the hon. gentleman tell us  
if there is any foundation to these reports that the oil companies  
cannot get their personnel, their executives, to come to

MR. NEARY: Newfoundland, to live in  
Newfoundland, that they would prefer to live in Halifax?

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

X MR. WINDSOR: Mr. Speaker, let me answer on  
behalf of the hon. the Premier. Let me address both this question  
and the second part of the hon. gentleman's previous question.

First of all, this one. the answer  
is no, of course not. There is no reason whatsoever that oil  
company executives would not want to live in our Province. In  
fact many of them who have come here have expressed to us their  
complete satisfaction and happiness on behalf of their families,  
that they enjoy the environment that they are living in here, and  
the level of services and the quality of life that we offer  
here in this Province, which is unique not only in Canada but  
in many parts of the world.

SOME HON. MEMBERS: Hear, hear.

MR. WINDSOR: Mr. Speaker, let me also

MR. WINDSOR: say that there is no basis in fact that oil companies are being reluctant to build oil rigs here. The hon. gentleman made reference to St. John, New Brunswick. If the hon. gentleman knew what he was talking about he would realize that it would take several years to put in place the kind of facility required to build an oil structure, and that St. John, New Brunswick is the only yard in Eastern Canada that had the capacity, the spare capacity at the present time, plus the facility in place to build such a structure, and that if one was to be built in Eastern Canada, if we are to have a truly Canadian oil rig built in Eastern Canada, St. John, New Brunswick was the only option and indeed that is why it was put there. Other companies, Mr. Speaker, are looking at opportunities for building oil rigs, drilling rigs and production platforms and so forth, and obviously Newfoundland is very much in the running. The hon. gentleman may recall - he may not, so I will tell him - that several months ago or a year or so ago this government undertook a series whereby we identified a number of potential sites and we gave preliminary analysis to them in a very responsible manner to provide opportunity for industry and private enterprise and municipalities and groups and organizations to have an input into that process to nominate sites which might have potential in our Province. We screened those and went through an exhaustive process which resulted in a number of sites being identified. These sites are now available. We have noted the oil companies are well aware that these sites are available and that the opportunity is there for them and we are one step ahead, Mr. Speaker, of other provinces, because if and when a company were to put a proposal to these provinces, they would then have to go through the process that this government has already

MR. WINDSOR: gone through. We have identified the sites, we have given preliminary analysis of them and we now know what we are talking about when we address these questions with the oil companies.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): The hon. member for Terra Nova.

MR. NEARY: A final supplementary.

MR. SPEAKER: The hon. member for Terra Nova yields for a final supplementary to the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I wonder, in the interest of setting the record straight, if the hon. the Premier would undertake to have somebody do an inventory of all the spinoff benefits and all the things that have happened in relationship to the development of offshore oil, all benefits that have accrued to Nova Scotia, do an inventory of what has happened in Halifax and compare it to an inventory



MR. NEARY:

of what has happened in Newfoundland? Just for the sake of letting members of the House see exactly what has happened so far in connection with the offshore oil as a result of a friendly atmosphere in Nova Scotia, a hostile attitude in Newfoundland, would the hon. gentleman undertake -

MR. MORGAN:

You are trying to hurt your own Province (inaudible).

MR. SPEAKER (Simms):

Order, please!

I believe the hon. member has asked his question. This is his third supplementary and already we have had thirteen minutes transpire.

MR. NEARY:

Would the hon. gentleman undertake to do an inventory of these matters?

MR. SPEAKER:

Perhaps we can get an answer now.

The hon. the Minister of Development.

MR. NEARY:

I am asking the Premier.

MR. WINDSOR:

Mr. Speaker, let me assure the hon. gentleman that we are very much familiar with what is happening in Nova Scotia and other parts of Canada. What is happening in Nova Scotia, Mr. Speaker, is not related to offshore oil as it relates to Hibernia, it relates to gas off Sable Island, and it is quite obvious that any development in conjunction with or relating to Sable Island will take place in Halifax. I can assure the hon. gentleman that the majority of the spinoff taking place resulting from Hibernia will take place in this Province.

MR. WINDSOR: I can also assure the hon. gentleman that we have undertaken studies which would indicate to us that there will be so much activity relating to that development that we are in a very happy position of being able to pick and choose which activities we wish to have in this Province and which ones we wish to share with other parts of Canada, and we will indeed be doing that.

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: Mr. Speaker.

MR. SPEAKER (Simms): The hon. the member for Terra Nova.

MR. LUSH: Mr. Speaker, Unit Two of the Forest Association of small sawmill operators on the Bonavista Peninsula, the only association, by the way, of small sawmillers throughout the Province, recently presented a brief to government and it asked for three things. It asked for three things, it made three recommendations to help small sawmillers over this rough winter, these rough economic times. Now, Mr. Speaker, the Minister of Rural, Agricultural and Northern Development (Mr. Goudie), he has responded to the first request. That was easy to do, Mr. Speaker, because the programme was in place and all they were asking was it to be put on an earlier date. So the Minister of Rural and Northern Development, he has done that.

Now, my question, Mr. Speaker, is to the Minister of Forestry, whether he has received this brief, whether he has read it and what action he plans to take on the step that effect his department specifically. And could he tell us what the recommendation

MR. LUSH: might be particularly as it relates to his department?

MR. SPEAKER (Simms): The hon. the Minister of Forest Resources and Lands.

MR. POWER: Mr. Speaker, we are having on-going negotiations with that sawmill association and other groups in the Province who are in the sawmilling business although not organized into an association. We are having active negotiations with independent pulpwood harvestors who at one time were sawmillers, Mr. Speaker, who are now actively involved in the pulpwood business. We are having active negotiations with the union on problems as it relates to the supply of pulpwood for the industry in the Province.

Mr. Speaker, as it relates to the sawmill industry particularly, everyone knows that the market is in a very difficult situation. We react to that situation extremely effectively through our small sawmill assistance grants during this time of the year to give sawmillers an opportunity to stay in business. That grant, that loan is available to every person who is involved in the sawmilling problems in this Province. It is there, Mr. Speaker. The other issues that relate to market conditions, the other problems that are much more an overall part of the sawmilling problems within this Province, Mr. Speaker, will be dealt with. Certain of the requests by the sawmilling associations

MR. POWER: that relate to budgetary matters will be dealt with in the budget in due course. And all I can say, Mr. Speaker, is that we will continue to work. We had a meeting earlier this week and a meeting next week with the sawmilling people and we will continue to have those negotiations and solve the problems that they have.

MR. LUSH: Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, the minister demonstrated that he is not very familiar with the request made by this Sawmillers Association. One of the requests, and one that is under the direct control of the minister, was that the government remove its stumpage fee to the small sawmill operators for this Winter, Mr. Speaker, for this Winter, to get them over this rough period. To wait for budgetary considerations is insufficient, Mr. Speaker. The Sawmillers Association specifically asked if the minister would look into the possibility of removing that stumpage fee immediately. So has the minister reacted to that particular request?

MR. SPEAKER: The hon. Minister of Forest Resources and Lands.

MR. POWER: Mr. Speaker, as usual there is a regular inconsistency in the Liberal Opposition of this Province. We have a submission from the Sawmilling Association of Newfoundland. It is being dealt with by the Department of Finance and by the Department of Forest Resources and Lands and government as a whole. We have another lined up with the Sawmilling Association. It certainly would not be fitting or proper to conduct those negotiations in public. Whenever we do have any kind of arguments in public with any persons we are having negotiations with, the members opposite always say, "Why can you not have negotiations in private? Why can

MR. POWER: you not do the things in private and do it in a correct and businesslike fashion." That is exactly what we are doing with the Sawmilling Association. We have a proposal from them and we will deal with it. And the first persons who will be aware of our responses will be the Sawmilling Association.

SOME HON. MEMBERS: Hear, hear!

MR. CALLAN: A supplementary, Mr. Speaker.

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

MR. CALLAN: I yield, Mr. Speaker.

MR. SPEAKER: - yields for a supplementary from the hon. member for Fogo.

MR. TULK: Mr. Speaker, I understand that one of the requests put to the minister was that the 11 per cent retail sales tax on equipment, on capital equipment and operation, that that tax be dropped, that they be exempt, that the sawmillers in the Province be exempt in the same way as farmers and fishermen are exempt from that tax. Could the minister tell us what his feeling is towards dropping that tax? Is he going to drop it? Does he sympathize with the sawmillers and will he indeed be dropping that tax for them?

MR. SPEAKER: The hon. Minister of Forest Resources and Lands.

MR. POWER: Mr. Speaker, as I answered in answering to a question from the member for Terra Nova (Mr. Lush), that is one of the recommendations in the submission to government that is of a budgetary nature and will be dealt with in the budgetary process.

MR. SPEAKER: The hon. member for Bellevue.

MR. CALLAN: Yes, Mr. Speaker, I have a question for the Minister of Public Works. Mr. Speaker, I want to quote

MR. CALLAN: from the five year plan that  
government tabled in this House in October of 1980, and I quote;  
it says, "During the next five years a start will be made  
on the construction of a new Confederation Building Complex  
to once again " - and God knows we need it - "to once again  
consolidate government accommodation "-because we have it  
scattered all over the city - "at one central location, and  
to economize on the ever increasing cost of rented accommodation.

"Such a new complex would cost  
in excess of \$30 million," it says. "It has been demonstrated  
though that rental savings will be sufficient to amortize this  
construction cost." So let

MR. CALLAN:

me ask the Minister of Public Works (Mr. Young): this administration has brought in three budgets now since they took office in June of 1979. When does government intend—since it is not going to cost anything, it is going to be built by saving rent— when does government intend to bring in this, to start construction on this Confederation Building Complex?

MR. SPEAKER (Simms): The hon. Minister of Public Works.

MR. YOUNG: Mr. Speaker, I do not know when it will start. We are in the process now of engaging consultants and some work has already been done.

MR. CALLAN: A supplementary.

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

MR. CALLAN: Mr. Speaker, the minister says we are now in the process of engaging consultants. You know, this idea of a new Confederation Building or whatever has been talked about for years. The former Premier had secret plans to build it and so on with some of his friends. Let me ask the Minister of Public Works (Mr. Young) how much does this government pay out in rent for rented accomodations—that no doubt are rented to their Tory buddies around this city - how much is paid out in rent each year?

MR. SPEAKER: The hon. Minister of Public Works.

MR. YOUNG: Mr. Speaker, I know it is in the millions of dollars, but I must say, contrary to what the hon. member said, we have no Tory buddies. Everything was tendered on open and public tender.

SOME HON. MEMBERS: Hear, hear!

MR. CALLAN: A final supplementary.

MR. SPEAKER (Simms): The hon. member for Bellevue.

MR. CALLAN: Mr. Speaker, let me ask the minister then - let me tell the minister that the figure is actually \$5.3 million. That is what was paid out in rent this year in this Province for rented accommodations. Let me ask the minister if he is prepared to table in this House of Assembly a detailed schedule or plan or whatever it might be showing the rented accommodations from whom it is rented and the fee per square foot and so on? Is the minister prepared to table that?

MR. SPEAKER: The hon. Minister of Public Works.

MR. YOUNG: I do believe, Mr. Speaker, that that was done last year and I have no objections. I will gladly table anything. Whatever they want they can have, Sir.

MR. SPEAKER: The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I yield to my colleague from St. Mary's-The Capes.

MR. SPEAKER: The hon. member for Torngat Mountains.

MR. WARREN: I yield.

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

MR. HANCOCK: I have a question for the Minister of Recreation.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

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



X  
MR. HANCOCK: Thank you, Mr. Speaker. If we could only get the Minister of Fisheries (Mr. Morgan) to stop blowing long enough we may get some questions in here. I have a question for the Minister of Recreation, Culture and Youth (Mr. Andrews), Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please! Order!

MR. HANCOCK: We have been anxiously waiting for the ~~report that has been prepared on the Green Paper on Recreation~~. I would ask the minister at this time at what time does he plan on ~~presenting that report to the~~ House of Assembly?

MR. NEARY: A good question.

MR. SPEAKER: The hon. Minister of Culture, Recreation and Youth.

X  
MR. ANDREWS: Mr. Speaker, I received the report one week ago less an hour and a half to be exact, at noon last Friday, and I informed the committee

MR. ANDREWS: at the time that it would be tabled in the House within a period of two weeks, so that would give it another week or so.

MR. HANCOCK: A supplementary, Mr. Speaker.

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

MR. HANCOCK: Thank you, Mr. Speaker. In the event that the report will not be presented this session of the House of Assembly, would the minister make the report public before the next sitting of the House?

MR. SPEAKER: The hon. Minister of Culture, Recreation and Youth.

MR. ANDREWS: The hon. member must know something that I do not know about the House closing or something, but I assume that we will be here until about Christmas.

SOME HON. MEMBERS: We are closing today.

MR. ANDREWS: Closing today, are we?

The report will be tabled in the House of Assembly in due course -

SOME HON. MEMBERS: Shame, shame!

MR. ANDREWS: - by law, and it will be tabled in this House of Assembly.

MR. SPEAKER: Order, please!

MR. HANCOCK: A final supplementary, Mr. Speaker.

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

MR. HANCOCK: Mr. Speaker, I have learned from very reliable sources that this is a devastating report on

MR. HANCOCK:                   behalf of government.

SOME HON. MEMBERS:           Oh, oh!

MR. HANCOCK:                   I would not be afraid to accuse  
the minister of trying to delay this Green Paper -

MR. SPEAKER (Simms):         Order, please!

MR. HANCOCK:                   - that it will never be presented  
in the House of Assembly because it is such a devastating  
report and it comes down heavy on government.

MR. SPEAKER:                   Order, please.

MR. FLIGHT:                   Hear, hear!

MR. SPEAKER:                   Order, please!

MR. HANCOCK:                   I will ask the minister is he  
using - is he going to stall this report or is he going  
to present this report as soon as possible?

SOME HON. MEMBERS:           Hear, hear!

MR. SPEAKER:                   The hon. Minister of Culture,  
Recreation and Youth.

MR. ANDREWS:                   Mr. Speaker, the Green Paper  
on Recreation will be tabled in the House as soon as I  
and my staff have an opportunity and time to puruse it,  
to read it, to study it and to present it to the public  
of Newfoundland.

SOME HON. MEMBERS:           Hear, hear!

MR. HODDER:                   Mr. Speaker.

MR. SPEAKER:                   The hon. the member for Port  
au Port.

MR. HODDER:                   I yield, Mr. Speaker.

MR. WARREN:                   A supplementary, Mr. Speaker.

MR. SPEAKER:                   A supplementary, the hon. the  
member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I would like to ask a question to the minister responsible for sports. Could the minister advise whether he advised the committee that made up the Green Paper that he would present it to the House of Assembly within one week?

MR. HANCOCK: That is what he said, yes.

MR. SPEAKER (Simms): The hon. the Minister of Culture, Recreation and Youth.

MR. ANDREWS: No, I did not say that.

MR. HODDER: Mr. Speaker.

MR. SPEAKER: The hon. the member for Port au Port.

MR. HODDER: Mr. Speaker, I have a question for the Minister of Transportation. (Mr. Dawe).

AN HON. MEMBER: (Inaudible) say it in public.

MR. CALLAN: You do not mind telling lies about Swift Current.

AN HON. MEMBER: You did.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HODDER: Lord bless us, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HODDER: Mr. Speaker, from the Ministerial Statement this morning that the minister made, he said that the intent of the decision from Cabinet was not implemented to the fullest extent intended. Could the minister explain why this intent, if the intent was to implement a different decision, why it was not implemented to the fullest extent intended?

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

MR. DAWE: Mr. Speaker, I suppose human  
judgement would be such that the interpretation of the  
particular information that came down from the Secretariat  
was not interpreted correctly. I might point out that  
the people that have been notified and have purchased  
vehicles since the regulations - not the correct regul-  
ations but the ones that were imposed - there are only  
some 300 pick-ups have been registered in that period  
of time and these people have been notified in due course  
and the corrections made.

SOME HON. MEMBERS: Oh, oh!

MR. HODDER: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. mem-  
ber for Port au Port.

MR. HODDER: So would the minister then admit that many of the statements he made yesterday, and the fact that these petitions came in, that the petitioners were indeed correct in what they were saying because that was the information they were getting from their offices?

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

MR. DAWE: In some cases and in some senses the petitions were right. I would, however, say that the -

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister of Transportation.

MR. DAWE: They were incorrect, Mr. Speaker, in that they left the impression that the \$32 increase was being applied to all pick-ups, and even in the incorrect information that went out that was not true and in that sense, Mr. Speaker, the information was not correct.

MR. HODDER: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Port au Port.

MR. HODDER: A final supplementary, Mr. Speaker, from the - anyone reading this Ministerial Statement, would the minister that his department seems to be out of control?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Windsor-Buchans.

MR. FLIGHT: I have a question for the Minister of Forest Resources and Lands, Mr. Speaker. Would the minister confirm that wood from the Bonavista Peninsula is being trucked to Stephenville and bought for use at the Linerboard mill at Stephenville by Price (Nfld.), Abitibi-Price?

MR. SPEAKER: The hon. Minister of Forest Resources and Lands.

X  
MR. POWER: Mr. Speaker, the hon. member opposite who continues to try and do the job of the Opposition forestry critic, should be aware, Mr. Speaker, that we do not have a linerboard mill in Stephenville, we have a pulp and paper mill.

SOME HON. MEMBERS: Hear, hear!

MR. DINN: The hon. gentleman thinks we have a fish plant in Buchans too.

MR. MORGAN: Where is the real forestry spokesman?

MR. SPEAKER (Simms): Order, please!  
The hon. Minister of Forest Resources and Lands.

MR. POWER: Mr. Speaker, as we know, we did not just change the name from lineboard to pulp and paper, we changed to a viable industry from one which was certainly a pipe dream -

SOME HON. MEMBERS: Hear, hear!

MR. POWER: - of somebody involved in forestry policy ten years ago.

MR. MORGAN: A Liberal pipe dream. That is what it was.

MR. POWER: As it relates to the supply of pulpwood for Stephenville, Mr. Speaker, certainly the Abitibi-Price Company is purchasing pulpwood all across Newfoundland. Actually there is some being purchased from the Goulds, which is certainly 400 or 500 miles away, Mr. Speaker, so I would not be at all surprised if some of the pulpwood is from the Bonavista Peninsula.

MR. MORGAN: I hope so. I hope so.

MR. FLIGHT: A supplementary, Mr. Speaker.

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

MR. FLIGHT: Mr. Speaker, I wonder now if the minister, having told us that Abitibi-Price buys pulpwood on the Bonavista Peninsula and trucks it to Stephenville for its pulp and paper mill in Stephenville, why it is that Price (Nfld.) refuses to buy pulpwood on the Bonavista Peninsula from sawmillers, the pulpwood is left to rot on the ground, on the grounds that it is not economical it is not economical to truck wood from the Bonavista Peninsula to their operation in Grand Falls? They force the sawmillers to leave it in the woods and rot, yet they buy pulp on the Bonavista Peninsula and truck it to their operation in Stephenville. Now would the minister get up and in his nice, bluffing way explain that?



MR. SPEAKER (Simms): The hon. the Minister of Forest Resources and Lands.

MR. POWER: Mr. Speaker, for the aspiring new leader of the Liberal Party who wants to be Opposition critic for all subjects -

MR. NEARY: Tell us about Joe Clark!

SOME HON. MEMBERS: Oh, oh!

MR. POWER: Mr. Speaker, I would be glad to tell hon. members about Joe Clark and say that his future is much more secure than the future of the Leader of the Liberal Party over there!

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order! Order!

The hon. the Minister of Forest Resources and Lands.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order!

MR. POWER: Mr. Speaker, I would be also glad to speak about the scuttling job that was held in one Liberal Party of Newfoundland, one leadership convention they had back in 1968 or 1969 which they have not recovered from yet.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order! Order! Order!

MR. POWER: Mr. Speaker, as it relates to forest management in the Province -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the minister has about forty-five seconds to conclude his answer.

MR. POWER: Mr. Speaker, all I can say in those forty-five seconds is thank God that that Liberal leadership convention which was held in 1968 or 1969

MR. POWER: allowed the people of the Province to see what a totally undemocratic party they were -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order!

MR. POWER: - and allowed us to take over the government and to put some good forest management in place for the Bonavista Peninsula so that now we have three viable operating, functioning mills in this Province that are being operated on a long-term basis for all the people in Newfoundland.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order! Order!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order! Order, please!

MR. FLIGHT: (Inaudible).

MR. MORGAN: (Inaudible).

MR. SPEAKER: Order, please! The hon. the member for Windsor - Buchans and the hon. the Minister of Forestry, please!

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

MR. DAWE: Mr. Speaker, I wish to table the annual report of the Department of Transportation.

MR. SPEAKER: Further reports?

ORDERS OF THE DAY

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

COMMITTEE OF THE WHOLE

MR. CHAIRMAN (Butt): Order, please!

When the Committee last met we were considering an amendment to Clause 5 of Bill No. 118.

Shall the amendment carry?

MR. NEARY:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for LaPoile.

MR. NEARY:

Mr. Chairman, as I understand it, this amendment is designed to put the authority to make decisions on existing buildings in the hands of the Cabinet.

When the government introduced the bill originally, Mr. Chairman, we were left with the impression and the people of this Province were left with the impression that all existing buildings would be included in a programme to give the handicapped access to existing buildings.

Now, the minister has brought in an amendment. Now, we were all for it, Mr. Chairman. Now they have watered it down. We are now having a watered down version of a bill that was supposed to be a great reform. The Minister of Social Services (Mr. Hickey), who is not in his seat today, could not wait to get on his feet to tell us what a great government this was. They were going to bring in a bill to make it compulsory, to make it the law of this

MR. NEARY: Province, that all owners of public buildings, apartment buildings and the like, would have to put in ramps or make their buildings accessible for the handicapped, the people in wheel chairs, on crutches, and people who are crippled.

Now, we went along with that, Mr. Chairman. We thought that was a very good idea, especially in this Year of the Handicapped which is drawing to a close. But now, Mr. Chairman, the government have destroyed the principle of that bill. They now bring in a watered down version. Apparently, they must have had a bit of a backlash from the people who own apartments and the people who rent buildings. They must have had a bit of a backlash, Mr. Chairman. Now they are having

MR. S. NEARY: back lash, Mr. Chairman, now they are having second thoughts.

MR. HOLLETT: At their own discretion.

MR. S. NEARY: Now they are saying that they do not have to do it. If they want to get out of this cost, this expense of converting the buildings, making them accessible to the handicapped, if they want to get out of that all they have to do is make an application to the Cabinet.

You would not know, Mr. Chairman, but the Cabinet had nothing else to do only to sit down and spend their time trying to decide which buildings will be exempt from being converted or making it accessible to handicapped people. You would not know but that is all the Cabinet had to do.

MR. B. TULK: They do not do anything else.

MR. S. NEARY: Apparently they do not do anything else. The Premier has his picture taken four or five times a day and writes letters, replies to letters and that is it. There is no major-

MR. B. TULK: And looks in the mirror.

MR. S. NEARY: And looks in the mirror.

There are no major policy decisions being made. Now, this is further. This, Mr. Chairman, and they are not going to get the House closed today, Mr. Chairman, so you may as well relax. Unless they shut her down, unless they shut her down, there is no way. We will be here until Christmas Eve. And they can try to pull strings all they want now and direct the operations of the House and manage the operations of the House all they want, but this is one time, Mr. Chairman, when they are going to have to suffer it out. Because there are so many issues to be debated in this House, that I would be prepared to come here on Christmas Day, myself.

Now, Mr. Chairman, we claim that this amendment is wrong, it is ill-conceived, it gives the owners

MR. S. NEARY: of existing buildings an out that they should not have. It places an additional burden on the Cabinet that is already unable to cope with the problems of this Province; record unemployment, high cost of living, electricity rates, cost of licenses for pick-up trucks, and licenses too. The hon. gentleman is getting ready to spring up on a point of order, Mr. Chairman, well let him get up. In the Committee of the Whole we have all kinds of freedom, we can speak as many times as we want.

MR. B. TULK: He is hot to trot, is he?

MR. S. NEARY: I beg your pardon?

MR. WM. MARSHALL: I am enjoying it.

MR. S. NEARY: The hon. gentleman is enjoying what I am saying, Mr. Chairman. Somebody-

MR. D. G. HANCOCK: Give him a hand!

MR. S. NEARY: Somebody must have gotten to the hon. gentleman, somebody must have gotten to the government. Some of the landlords in this city must have gotten to the administration, and they persuaded them, they convinced them that although it was a fine gesture on the government's part, it was a good piece of public relations, they felt that they should be exempt from the bill, that they should not have to go to the expense of

MR. NEARY: converting their buildings to the extent that they would be accessible to the handicapped people of this Province.

MR. HANCOCK: Hear, hear. Good speech.

MR. NEARY: Now, Mr. Chairman, that is wrong. That is how much interest they have in the handicapped, to let the moneybags lobby them into exempting them from this act. Now, who are they for? Are they for the landlords or are they for the handicapped? Who are they for, Mr. Chairman? I ask the hon. gentleman.

MR. HANCOCK: Who needs the help?

MR. NEARY: Who is it that needs the help, is it the moneybags, the landlords, or is it the fellow in the wheelchair? Who are we trying to help here?

MR. WARREN: The landlords.

MR. NEARY: The sudden turn, and dramatic turn of events in this debate would indicate they are trying to protect the landlords and not trying to do anything for the handicapped.

SOME HON. MEMBERS: Hear, hear.

MR. NEARY: I can see, Mr. Chairman, the fierce lobby that took place from the time this bill was introduced into the House up to the present time. I can imagine in my mind the phone calls and the lobbying that was done at the cocktail parties by the landlords and the moneybags in this city who thought that they might have to spend a few dollars to convert, for instance, the lower level of their apartments so that handicapped people could have access to their buildings. I can see it now; they stampeded the government into watering down the act, bringing in an amendment, Mr. Chairman, that, in my opinion, is not justified. And not only that, Mr. Chairman, but taking the unprecedented step - this is unprecedented - of giving the right to the Cabinet to decide whether or not these landlords and these real estate owners, giving the Cabinet the right to exempt them.

MR. NEARY: Mr. Chairman, can you see the political overtones of that? If you are a buddy of the administration, if you support the administration, if you contribute to their financial campaign and you have a buddy in the Cabinet, you have got her made. All you have to do is do a little lobbying with them, a few dinners, a few cocktail parties -

MR. CARTER: (Inaudible)

MR. NEARY: Mr. Chairman, the people of this Province are getting fed up with hearing about ancient history and they want to know what this government has done and what it is going to do for this Province. They are not interested in talking ancient history.

SOME HON. MEMBERS: Oh, oh.

MR. CHAIRMAN (Butt): Order, please!

MR. NEARY: And so, Mr. Chairman, I do not know if the little gift the hon. gentleman passed around yesterday, a package of savory to each member, I do not know if that fits in- to the guidelines that the Premier has laid down for members of this House - for ministers and members of this House. I accepted the package of savory in the spirit in which it was given, but I would like to have direction from the Chair or from the Premier, I would like for him to let me know if somebody could tell me whether it fits in the guidelines or not - a package of savory.

MR. CHAIRMAN: Order, please!

The hon. member is now straying somewhat from the amendment.

MR. NEARY: I think the principal should tell us, Mr. Chairman, whether that fits in the guidelines or not.



MR. NEARY: So, Mr. Chairman, in this particular instance it would be who you know. You could bring political influence to bear on members of the Cabinet and the Premier. For instance, if some of the landlords who are very close to this administration, who hold their secret meetings up in Mount Pearl in - what is the name of that? -

MR. WARREN: The Chateau Park.

MR. NEARY: - the Chateau Park in Mount Pearl, they could take the list and go over it.

AN HON. MEMBER: What?

MR. NEARY: The Chateau Park in Mount Pearl, where they hold their secret meetings with the Premier. And some of the landlords who are objecting to this, the motel owners, who donate the rooms for these meetings and the tidbits and the goodies that go with these meetings, could say, Mr. Premier or Mr. Minister, as the case may be -

MR. YOUNG: (Inaudible).

MR. WARREN: Some funny.

MR. NEARY: Very funny. Mr. Chairman, the handicapped will be very pleased to hear the member for Harbour Grace (Mr. Young), who will not be around after the next election, they will be very interested in hearing him snickering and laughing, laughing at their bill, at this amendment.

MR. WARREN: Shame. Imagine the minister laughing about the (inaudible).

MR. YOUNG: (Inaudible) bury the Opposition.

MR. NEARY: The only thing that will be buried in this Province in the next election will be the hon. member for Harbour Grace (Mr. Young).

MR. WARREN: And several others.

MR. NEARY: Mr. Chairman, I am very concerned about this amendment, very concerned about it. All hon. members of the House are concerned about it, and I think the word should go out to the people of this Province that

MR. NEARY: it is not really--this is just another bit of window dressing, a bit of PR on the part of the administration, a bit of window dressing. They say, and we thought they were sincere when they said it, that they want to do something for the handicapped. But what is more important, Mr. Chairman, they want to protect the landlords and the people who own real estate and own public buildings in this Province. They want to give them an out and I think that is wrong, Mr. Chairman, and I am going to vote against that amendment. I am all in favour of the bill. I think it should be restored to its original position. Existing buildings should be left in. I agreed with somebody yesterday when I came into the House - I think it was the member

MR. NEARY: For St. Mary's-The Capes (Mr. Hancock)-when I heard him say that the whole bottom floor of apartment buildings should be made accessible to the handicapped, and they should be converted into apartments for handicapped people, telephones, bathrooms -

MR. MOORES: It should be mandatory under the law.

MR. NEARY: It should be the law. It should be mandatory.

Now, I heard another member argue yesterday that, "Well, maybe they cannot rent them to handicapped people. Maybe they cannot rent them to handicapped people."

AN HON. MEMBER: (Inaudible).

MR. NEARY: Mr.Chairman, in my opinion that is nonsense. If we follow the principle of the amendment, then handicapped people will not be able to pick and choose. They will not be able to get to shop around for the best rent they can get. They will have to take the high-priced, luxurious apartments that they cannot afford.

MR. HANCOCK: And they will have to wait for them to be built at that.

MR. NEARY: And then they will have to wait for them to be built. Because this act, as I see it now, every landlord and every owner of a public building, or a public place in this Province, will go to the Cabinet and ask to be exempted.

I know, Mr.Chairman, they do not want to spend the money. You cannot blame them for trying to weasle their way out of it. You cannot blame them for that. But if the act is going to have any effect at all, if it is going to do what it is supposed to do, as we were told when the bill was introduced and we debated it in second reading, debated the principle of it, and the Minister of Manpower was on his feet,

MR. NEARY:                   the Premier was on his feet, the Minister of Social Services was on his feet, hailing it as a great reform.- and now suddenly the whole process of the bill takes a sudden and dramatic turn, a complete reversal, now it is not going to be the law of the land, now it is not going to be mandatory for owners of apartments and public buildings to convert them, or make them accessible to handicapped people. The bill, Mr. Chairman, the watered down version is just a joke. And I intend to vote against this amendment, Mr. Chairman, and I hope that every member on both sides of this House will vote against this amendment.

Mr. Chairman, I hope that everybody will express their views on this bill. I am sure my colleague, the hon. member for St. Mary's-The Capes (Mr. Hancock), is anxious to get on his feet to add his few remarks in support of the bill and against the amendment.

It is a terrible situation. It is hypocritical, Mr. Chairman. It is downright hypocritical. And it is a slap in the face to handicapped people in this Province. And I ask the hon. President of the Council (Mr. Marshall), if he has any decency about him at all, or if he is an honourable man, that he withdraw this amendment and let the bill go through in its original state. X

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

X MR. MARSHALL:               Mr. Chairman, I just want to say a few words. First of all, the hon. member for LaPoile (Mr. Neary) is not presenting the amendment in its proper intent. I note, also, that the hon. member for LaPoile is completely at variance with the hon. the member for Grand Bank (Mr. Thoms) who spoke in this particular motion yesterday for the amendment.

MR. WARREN:                   We are Liberals.

MR. MARSHALL:               The hon. gentleman says they are Liberals in the tone I suppose that he means that the

MR. MARSHALL: hon. member for Grand Bank is not a Liberal, whatever Liberal is. But the hon. member for Grand Bank yesterday got up and made a completely contrary statement. Now, what this act does, just so that the hon. member for LaPoile cannot distort the principle and the intent of this act, what this amendment does, and I read it again, "This act will not apply to buildings existing at the commencement of this act except such buildings or class of buildings as the Lieutenant-Governor in Council may from time to time prescribe."

Now, the reason for this is obvious. There are already buildings, there are many buildings of varying age that have been built around the Province to which this act would apply. It may be impossible to alter the existing buildings to the degree that the government would like to see them altered for the purposes of making them readily accessible to handicapped people. Buildings which are built in the future, the government is determined that these buildings will only be built if they make provision for the handicapped in accordance with this act.

If the government could, the government would wipe the slate clean and do it with respect

MR. MARSHALL:

to all buildings. And we would certainly like to do it, but it may not be possible in its complete entirety. In some of the existing buildings, in order to make them accessible, it would involve probably very, very extensive costs in renovations and the effect of that is not going to be felt by the landlords, whom the member for LaPoile (Mr. Neary) likes to lambast, but the effect of it will be that the increased cost will be passed on to the tenants themselves and that is where you have a dilemma. Now, it does not mean by this amendment, in any way at all, that the act itself is not going to be made to apply to existing buildings. What the amendment says is that the act "will not apply to buildings existing except such buildings or classes of buildings as the Lieutenant Governor in Council may from time to time prescribe. And as I indicated yesterday, it is the intention of government and it is the intention of Cabinet not to do as the member for LaPoile loves to try to shade things from time to time and indicate that there are people who have favour with the government, who are going to be exempted and what have you and to cast that little innuendo.

What the government intends to do, as I say when the Lieutenant Governor in Council prescribes, it means when the Cabinet makes regulations. So there will be regulations of general application made to existing buildings and these regulations will, as far as possible, make existing buildings comply. But it may not be possible to make the existing buildings comply to the extent that it will be possible with respect to the construction of a new building.

So there is no intent in leading in this amendment, in any way, to dilute the application of this act. And I can give the Committee the assurance that the government is determined, insofar as it is practical, to apply the provisions of this act completely to new buildings and as far as possible

MR. MARSHALL: at all, reasonably possible, to existing buildings. As a matter of fact, as time goes on the provisions of this will apply more and more to existing buildings.

I reiterate what I have already said, that you cannot - you know, as much as we would like to, you have to take the world as it is and not completely as one would build it, if one had the opportunity of building right from the ground floor oneself.

So that is the purpose of it. I know the hon. members there opposite are going to get up and make varying statements one way or the other, but I urge upon the Committee that this particular amendment is being led before this House to make this bill to be able to apply in a practical and real sense. X

MR. CHAIRMAN (Butt): The hon. member for Eagle River.

X MR. HISCOCK: Mr. Chairman, I would just like to have a few words on it. There is no question about it that this side realizes that the government is changing its mind on the principle of the bill. There is also no question in our minds on this side that if a building is extremely old and it will cost a lot of money to redo it and the building is not going to be in operation for a longer period of time, then obviously we do not expect the landlords or the taxpayers to go through that expense. But what we do expect is that if a building is going to be in operation for five or ten or fifteen or twenty years or longer, even though it is an older building now, then we do expect these buildings to be made accessible to the disabled. I do not think that the press realizes this. I hope the press does pick up on this. Each year the UN designates a certain year; The Year of the Disabled, The Year of the Woman, The Year of the Child, and each year governments throughout the world throw laurels upon the UN and bring in legislation. And much of it, Mr. Chairman, is rather shallow, a lot of it is PR jobs, to more or less say that they are walking in tune with the times. And this is an example, this bill, when

MR. HISCOCK: this bill was brought in this bill was supposed to be one of the great reforms. And there is no question about it, The Year of the Disabled designated by the UN focussed a lot of people's attention in this Province and country and this world on the number of people who are actually disabled. We began to realize how many people are blind in this Province, how many are lame, how many are disabled in other forms and how many are in wheelchairs. We have seen -

MR. CHAIRMAN (Butt): Order, please! Order, please!

I must ask the hon. member now, you know, is straying somewhat and you would almost surmise that we were in second reading. However I must point out to the hon. member that we are debating now the amendment to Clause 5 and, therefore, you know, while I will allow a fair degree of



MR. CHAIRMAN (Butt):

latitude in debating that amendment, I do not think we should go back to the principle of the bill again, that has already been taken care of.

MR. HISCOCK:

I respect Your Honour's judgement. I am pointing out that the number of disabled in this Province is astounding for a small Province with the small population that we have. There is no question that if we have to wait until the new buildings are done, with the high cost of interest rates, with 11 per cent for building materials, we are going to have to wait a fair number of months and years before we get these buildings in place.

The question I would like to ask this government is why do we need to put it under the Cabinet? Surely, it is one of the things that Cabinet, with the offshore and the negotiations and other higher forms of politics in this Province, should be going after that. And if we need to have existing buildings looked into to see how long they are going to be in operation, surely this should go to the Minister of Social Services; it should not necessarily be the responsibility of Cabinet but should be the responsibility of one minister, himself or herself.

With regard to rural areas, I would like to ask the question, does this government have any intentions of making buildings in rural areas available, whether these be their own public buildings, whether they be community halls, whether they be schools, whether they be town halls or whether they be post offices? There is no question, Mr. Chairman, that in rural areas of Newfoundland we have a lot of people who are disabled and shut up in their own homes all the time for the main reason that they cannot have accessibility to various buildings.

MR. HISCOCK: Now, if we are going to take the advice of the President of the Council (Mr. Marshall), he is saying it is too expensive to make these changes. I say, Mr. Chairman, if these buildings are not going to be in operation for two or three years then, obviously, we do not expect the taxpayers or the consumers to go through this price, but if they are going to be over a period of five, ten or fifteen years then we do expect the government to have the priority in this area.

With regard to the other part, Mr. Chairman, I, for one, when we have a UN designate International Year - there is no question that this piece of legislation was brought in in tune with the times to tell the people of the Province, 'Look what we are doing for the disabled.' But the tune of the drum will actually be next year and the year after and the year after that. And with this availability of going to Cabinet, with pressure applied on the Cabinet ministers, there is no question about it, that certain buildings will be overridden if it were not put in in this way.

I, for one, Mr. Chairman, feel that if this is the Year of the Disabled, then we should treat it as the Year of the Disabled if we want to help them. And we have seen the advances that have been made by these people and the inspiration that these people have been given.

It is very hard, Mr. Chairman, to expect the highly capitalist people in this House to realize the needs of the disabled and of the unfortunate and the lower income people. They have no concept, Mr. Chairman, of the needs of these people. And, therefore, with regard to a business oriented government here,

MR. HISCOCK: there is no question again that they are taking the advice of the pressure that was put upon them, as was so ably put by my friend, the member for LaPoile (Mr. Neary).

I would go as far as to say that I will be voting for the bill, but as for this amendment, I also will be voting against it.

I hope that there are other members in this House of Assembly who will get up and speak on other parts of this bill and this clause. I hope that my friend from Torngat Mountains (Mr. Warren) will have a few words on this.

Thank you, Mr. Chairman. X

MR. CHAIRMAN (Butt): The hon. the Minister of Culture, Recreation and Youth.

X MR. ANDREWS: Mr. Chairman, I just want to make a couple of observations on this bill. Number one, I think the amendment is a very practical amendment. Outside of money, outside of the cost of installation of facilities for the handicapped people, there are certain buildings, and there will be more in the future, that will be designated as historic buildings in the Province whereby the installation and the tearing down of walls and structures to accommodate facilities for the handicapped would be in direct opposition and contrast to the intent of even preserving the building and its architectural integrity. I am thinking about historic sites, old

MR. ANDREWS: buildings that have been preserved, lighthouses, museums, Commissariat House in St. John's, the lighthouse at Bonavista. Once you begin to put, for instance, an elevator in the lighthouse at Bonavista, it does not then become what it was intended to be, an historic site. So I think that this amendment facilitates the enabling of the government to preserve that as an historic site, as it is meant to be preserved.

That is all I have to add to

it, Mr. Chairman. X

MR. WARREN:

Mr. Chairman.

MR. CHAIRMAN (Rutt): The hon. the member for Torngat Mountains.

MR. WARREN:

Yes, Mr. Chairman, I am going

to be very brief. Last night, Mr. Chairman,

I had the opportunity of attending a gathering of roughly about seventy-five men and the guest speaker at this gathering was Joanne MacDonald. If His Honour would allow me, I would like to relate what Joanne MacDonald had to say pertaining to this bill and pertaining to the disabled. I may be a little off course but I think it would be very valuable for the hon. House to listen to some of the comments that Joanne MacDonald passed along to this group last night.

Mr. Chairman, last night in her address to the service clubs, she said that this bill that is before the House today is going a long way in assisting the handicapped. However, she said that it is heartening for a disabled person to realize that government, regardless if they are federal or provincial government or municipal government, have set aside a year of the Disabled. It is almost like government are saying you are separating - you are saying 1981 is the Year of the Disabled. Every year is a year for the disabled and we cannot forget that. We have to - not

MR. WARREN: because December draws to a close in a few weeks time should we forget that we still have the disabled people in this world.

Secondly, she said about this bill which is very, very important, and I want to relay it to the House today, she said, ' It gives us access to the building but when we get inside the first door, it is just as bad as it we never got in there at all. What is going to be done inside the building after we get in there?' I think that is very, very valuable if we are talking about the disabled people.

Are the washroom facilities, the kitchen facilities, the bedroom facilities, are those facilities going to be accommodable for the disabled people? It is pointless. It is entirely pointless - and I think with the response that she got when she finished her speech, it is entirely pointless for government and landlord to make a building accessible for the handicapped if, once you get inside the door, then there is nothing done inside.

I think, Mr. Chairman, in the Gallery this morning, there is a man who is very much associated with the handicapped people in this Province. I would like to recognize him. He is a councillor with the Town of Mount Pearl, Mr. Vickers, and I am sure that he is of the same opinion, that it is highly unlikely to have a building with just the outside appearance of that building looking suitable for the handicapped. once you get inside it is not suitable.

So, Mr. Chairman, I want to assure that this bill - if this bill has the teeth in it, as was originally set out to do and not give the landlord, not give the landlord the opportunity to

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MR. WARREN: weasel out of something. And everywhere we are seeing in this amendment that we are not going to give the protection to the disabled and the handicapped as was intended at the beginning.

Now, that is my concern, Mr. Chairman, and I think it is the

MR. WARREN: concern Joanne MacDonald left last night with this gathering. And I would very much like to see the minister withdraw this amendment and leave it in its original context. And, also, when we are going to renovate and make the building accessible to the handicapped people and to the disabled, I think we should assure the handicapped people, and the disabled, and those who are working with them, that we will do more than just have the entrances to those buildings suitable. We will make sure that inside - in fact, my hon. colleague from St. Mary's - The Capes (Mr. Hancock) yesterday came up with a real good suggestion, if there is an apartment with three or four stories to it, the bottom flat should be designated, where possible, for the use of the handicapped and disabled people.

So this is a very important bill, but let us not just have it as another piece of paper and try to cut corners to save money. I believe the lives of these people, the lives of these people are more important than the dollars that this government is trying to save.

Thank you, Mr. Chairman. ~~X~~

MR. CHAIRMAN (Butt): The hon. Minister of Labour and Manpower.

~~X~~ MR. DINN: Mr. Chairman, I would just like to attempt to answer some of the questions brought up by hon. members opposite with respect to the amendment proposed.

Now, Mr. Chairman, we had a bill passed in this House several years ago. That bill was found to have very little, if any, teeth in it. The intent of the bill was to do what this bill is doing now. Since the time that bill was introduced and passed in this House, discussions went on with many organizations. And I named them when I

MR. DINN: introduced the bill in second reading. The Community Services Council was one, the Association of Professional Engineers of Newfoundland and Labrador was another, the Consumer Organizations of Disabled Persons of Newfoundland Cod was another. Newfoundland and Labrador Construction Association, Newfoundland Association of Architects and Newfoundland Home Builders Association.

Now, Mr. Chairman, when these amendments were proposed we had agreement from all of these organizations as to what we were to do with this bill and how we were to provide flexibility. I do not claim to be an expert on what the requirements are to make buildings accessible to the disabled, what the requirements are in all different buildings, but we do have codes and standards proposed, and we have got the makings of draft regulations now which will go through all of these organizations again, and anyone else who wants to have input to these regulations. The difficulty with the last bill was that there was no flexibility at all allowed.

Now, we could put a bill in front of this House and recommend that certain people would have control over codes and so on that would be accepted by the people of the Province of Newfoundland and Labrador, the disabled people and so on. That is not the way things are normally done. To give effect of the law we have to pass regulations. Those regulations, in order to have effect of law, have to be passed by the Lieutenant-Governor in Council.

So, Mr. Chairman, what we have done over the past two years was consult with everyone in the Province who wanted to have input to this piece of legislation; everyone in the Province had an opportunity to have their input. To my knowledge all of the organizations that I have mentioned are delighted and pleased with this legislation. The fact that we had to amend clause 5 (1) and (2) were because



MR. DINN: some things were found to be impossible to perform. There is no point in having a law if it is impossible to perform. What we had to do in 5 (1) and (2) was to provide the flexibility required as it relates to existing buildings. So there are some buildings in this Province that are almost impossible to modify to make them accessible - not the ground floor now, every ground floor can be made accessible to a disabled person with a ramp and so on, but to make, for example, a condominium accessible to the handicapped-

AN HON. MEMBER: (inaudible)

MR. DINN: Condominiums are covered in here also. I am just relating examples to hon. members so they understand what we are talking about here in Clause 5(1) and (2). With respect to 1, existing buildings. There are condominiums in this Province today, that whilst the ground floor and certain apartments can be made accessible, there are others that simply cannot be made accessible easily. Condominiums: For example, one of the architects explained to me an example of a building already built, an existing building down near Quidi Vidi, where it is a condominium, step progression type, that conforms with the lay of the land. That building, in order to make it accessible to the handicapped, would have to be totally redone. Everything would have to be changed in that building to make it totally accessible to the handicapped. The handicapped people, the organizations that have come into me representing those people, do not want that. I mean, they do not want the impossible. What they want is access to public buildings and what they want is access to apartment buildings. You know, they do not want all apartments, for example, modified so that they are not only accessible but can be used by the

MR. DINN: handicapped, every apartment. They do not want that. They know that that is almost impossible to perform. I know personally of a building here in St. John's where there are six apartments available for the handicapped that are not used and cannot be rented. They have been sitting idle now for over a year.

MR. FLIGHT: Because of the Price?

MR. DINN: Not because of the price, because they just cannot be rented. I mean, the handicapped people do not want them for whatever reason. They cannot rent them to the disabled, to the handicapped people that could use them, and other people do not want them. Other people do not want these apartments built with the modifications, so the builder is left with six apartments that he cannot rent, basically cannot rent in a place, in a city where, you know, the occupancy rate is down to -I think the last figures that came out, they are almost down to zero, the vacancy rate. So that what we have here and what we had in the proposed draft regulations, every organization, to my knowledge, that I have mentioned, is in favour of. The only ones, to this point in time, who are not in favour of this amendment or this legislation or the proposed draft regulations, are the hon. member for LaPoile (Mr. Neary) and the hon. member for Eagle River (Mr. Hiscock).

Now, if the hon. member for LaPoile (Mr. Neary) would go to some of those organizations - I mean, this is not carved in stone. We had a law before and we now have an amendment whereby we think the law, the intent of the legislation that was there before, can be put in place. If the hon. member for LaPoile (Mr. Neary) or anyone else, any other hon. member in this House can

MR. DINN: make recommendations , we can check it out with these organizations so that these organizations agree. We cannot do these things holus-bolus. We have got to check these things out and that is what we have done. We have taken well over two years now. The biggest concern of most of these organizations was that we would not get this legislation in the form that it is in, to bring it into the House at this point in time.

MR. STAGG: Point in time, what is this - point in time that is overworked. Use at this juncture or something.

MR. DINN: I see. At this juncture.

So they are very happy with the legislation that we have here now. They are also happy with the draft regulations. Now, there are still some inconsistencies that we may have to change between now and when the Lieutenant-Governor in Council proclaims them. And we will endeavour to see that these organization are contacted and agree. Because we want a law that works.

The organizations representing the disabled indicate to me that there are certain - you know, they have listened to the architects and the engineers and found out that there are certain buildings that cannot be done, that is why you need the flexibility.

So, Mr. Chairman, I do not know how I can clear the minds of hon. members opposite, if they have something that - if there is an amendment that they can propose that will make this work better, I would be delighted to listen to it, But., to my knowledge, the lawyers who have looked at these things, indicate to me that that amendment is what is required here to provide the flexibility that we need. And I have not heard any organization or individual, outside of the hon. member for LaPoile, and with all due respects to his expertise in this area, I would rather believe the expertise

MR. DINN:

of the organizations that we have consulted with over the past couple of years. I feel that what we have here is something that is a very big positive step forward for the disabled, and unless I can receive argument to the contrary that makes more sense than what the legislation says, then Mr. Chairman, we have to get this bill passed. And I think it is important that we do not drag this thing out. I think it is important that this piece of legislation goes through as quickly as possible so that we can get the -

MR. NEARY:

Next week will be all right.

MR. DINN:

Well, the hon. member can check with the organizations. They are happy with the legislation.

MR. NEARY:

We want to check on what you are saying.

MR. DINN:

Two years. It has taken over several months. It has taken two years to get it to the level that it is at right now. And I would think that we have dragged this out long enough. I think we need this legislation put in place, and I think we need this thing to become effective as quickly as possible. And I think we need the regulations proclaimed so that we can get on with the job.

So thank you very much, Mr. Chairman. X

MR. CHAIRMAN (Butt):

The hon. member for Carbonear.

MR. MOORES:

Thank you, Mr. Chairman.

X  
In response, Mr. Chairman, to the hon. minister's final comment, the implicit comment that for some reason or other this Opposition was holding up the implementation of this legislation, that is pure and absolute balderdash.

The Opposition of this Province, Mr. Chairman, has caught on for the third time this week. The government of this Province are trying to hoodwink the people of the Province, and now they are trying to hoodwink the handi-

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MR. MOORES: capped people of this Province,  
by introducing an amendment which, in effect, makes the bill  
ineffective. It takes the complete substance of the bill  
and effectively withdraws it altogether.

MR. R. MOORES: How the President of the Council, Mr. Chairman, has the unmitigated gall to introduce an amendment of this nature is beyond me, after the remarks that we have heard from that hon. gentleman and from a host of government members that this is the most forward piece of legislation in this Province dealing with handicapped people, And now they are saying -let us examine what the president of the Council His amendment is saying. It is saying that if there is any building in this Province or any builder in this Province whom we want to exempt from these regulations, from this legislation, then we are going to do it. Well how green do you think that the members of this Opposition are? - that we are going to abdicate our responsibilities and let this kind of stupendous amendment go through this House without any debate, without any discussion, And to make the worst of it, Mr. Chairman, the President of the Council did not even have the common courtesy and decency to bring this in and debate on principle, second reading.

Sneaked it in in third reading, hoping that we were going to fold over here, wanting to get home for the Christmas break, It does not work that way. Some people over here, and I might say the majority of us, take our responsibilities pretty seriously. Despite what the member for Grand Bank (Mr. Thoms) said yesterday, that I publicly say here now I categorically disagree with, I am not going to support this amendment, no way am I going to allow the government to ruin my conscience on this sensitive and very significant piece of legislation. And I stood up here in this House, just a week or so ago on second reading, and gave a number of reasons why I was pleased with this legislation and wanted to see it go through, And now the President of the Council introduces a government amendment that effectively negates

MR. R. MOORES:                    everthing I have said, that effectively says that this bill will only be applied when the Lieutenant-Governor in Council decides so. And that is not what we agreed to in principle in the debate on second reading. We did not agree to give the Cabinet of this Province a tool, an implement by which they could favour their cronies in the construction industry.

SOME HON. MEMBERS:                Hear, hear!

MR. R. MOORES:                    We do not intend to do it, Mr. Chairman, we are not going to do it, supposing that we are here until Christmas Eve. And the only way that I see, in my personal opinion, that debate on this matter will rest, is if the President of the Council realizes the shenanigans that he is up to, that we have caught up with his game and withdraw this amendment.

    "No existing buildings at the time of the implementation of this act will be affected." That is not what I voted for in second reading, I voted for the introduction of a time period by the Cabinet, to undergo the changes, the modifications to existing buildings that would help the handicapped of this Province, and now they are being hoodwinked. And that is three or four times we have seen it happen in this Legislature this week, outright and misleading falsehoods by Cabinet ministers and the Premier and now this undertaking. It is

MR. R. MOORES: no joke, Mr. Speaker, neither is it any secret, that various Cabinet ministers on the other side of the House have friends in the construction industry.

AN HON. MEMBER: Slur!

MR. R. MOORES: Slur, I do not slur.

SOME HON. MEMBERS: Oh, oh!

MR. R. MOORES: Yes! I do not slur, I never draw punches. I call a spade a spade! And if you want me-

MR. FLIGHT: And a fool a fool!

MR. R. MOORES: If you want me to I will name

MR. NEARY: Garland Clarke.

MR. STAGG: That is one!

MR. FLIGHT: Craig Dobbin.

MR. STAGG: Two!

MR. R. MOORES: That is enough! Those two alone

AN HON. MEMBER: Do you think you need (inaudible)

MR. R. MOORES: Those two names that my colleagues just submitted to the floor of the House are enough, those two men alone control, I would say, more - yes two-thirds, of the structures that we are talking about.

MR. FLIGHT: How about access to the savory patch? Is that -

MR. NEARY: Who was their legal counsel?

MR. CALLAN: That is a good question.

MR. R. MOORES: No way, Mr. Chairman.

MR. S. NEARY: Would a member of the Cabinet be representing any of these people?

MR. MOORES: This is no joke for the Opposition side of the House, no joke. There is nobody smiling over here. A concentrated and orchestrated effort by various members of the government side to make this bill the laughing stock of serious efforts to help the handicapped in this Province. And I tell you now, a comment made by my colleague from Lapoile (Mr. Neary), that the apartments that are available in this city for handicapped people have not been rented, the reason for that is because



MR. R. MOORES: the Minister of Social Services  
(Mr. Hickey), that bastion of sociology in this Province -

AN HON. MEMBER: Hear, hear!

MR. R. MOORES: - that monumental repository of  
intelligence -

MR. STAGG: He learned a few words and he  
(inaudible) himself.

MR. TULK: Oh, he does. He does an excellent  
job, now 'Fred', an excellent job.

MR. R. MOORES: - does not understand that a handi-  
capped person is not only one in a wheelchair.

Just awhile ago, Mr. Chairman, I  
was watching a CBC television programme about the need  
handicapped people presenting their comments on the need  
in this Province and in other Provinces of Canada for  
accommodations that deal specifically with their problem,  
whether it is cerebral palsy, or muscular distrophy or  
multiple scleroids. There are a variety of handicaps that  
the Minister of Social Services, if he knows they exist,  
would love to ignore them. And this government has taken  
every step that they can to evade and avoid bringing in  
some positive programmes to deal with them.

Ask the Minister of Social Services  
how the programme of accommodations there by the Escasoni  
Building is working. You have five or six handicapped people  
over there, ask how many ministers on the government side  
have visited that complex, have gone over and talked to these  
people? Accommodations like that can work in this Province.  
Accommodations like that for handicapped people can and do  
work in this Province and the problem is there are just not  
enough of them available. And you can not blame the handi-  
capped people in this Province for dealing with landlords of  
the nature like Garland Clarke and Craig Dobbin, etcetera.

MR. TULK: And representatives.

MR. MOORES: who really have no interest in handicapped people, all they have interest in is the dollar, the green stuff. And these are the people whom this amendment caters to, wholly and completely caters to.

My friend from LaPoile (Mr. Neary) was right when he said that the pressure was placed on the government and the appropriate ministers, including the Premier, at the cocktail sets, for this amendment. And that is the type of government we have been dealing with for the last two years, under-the-table government, government by

MR. MOORES: clandestine methods, do not have the courage to face us head on, do not have the courage to come out and say we are going to increase the commercial vehicle licence by \$32 and it is good government policy, and then try as best they can to support that policy. No, siree, what you had this morning was the Minister of Transportation (Mr. Dawe) get up and squirm and squeal and slurk.

MR. CHAIRMAN (Baird): Order, please!  
I think we are beginning to stray from the bill.

MR. MOORES: Thank you, Mr. Chairman.  
Government by inaction - I am so glad that the Premier came back to his seat to hear me speak about such a significant matter in our Province today and I, like a fool, Mr. Chairman, got up here last week and spoke in favour of the principle of this bill with no knowledge and having no knowledge that the President of the Council (Mr. Marshall) would have the barefaced gall to come in and propose this amendment and effectively -

MR. FLIGHT: It destroys the bill, destroys everything.

MR. MOORES: - asking me to support it when I know the intention. If nobody else in this Province knows the intention, if nobody else in this Province cares about the intention, at least I know what the intention is and the intention clearly is to cater to landlords in this Province who have influence with the government and do not want to expend the necessary part of their profits to deal effectively with helping the handicapped in this Province.

MR. WARREN: And there is a government that cares.

MR. MOORES: Now there is a capsulized umbrella statement to cover the intention of the government with this amendment. Now what kind of respect does the government have, does the President of the Council have for this Opposition to think that we would cower down.

AN HON. MEMBER: For the House.

MR. MOORES: For this House? - to think

MR. MOORES: that we would cower down, shirk off our responsibilities and say, Well, look, they cannot effectively oppose this bill because it is a good bill, it means well. So now while we have them at a disadvantage - they have all supported second reading in principle - now that we have them committed to the principle of the bill, we will stick the knife in with this amendment.' It does not work at all. The government will pass this bill. The fundamental and inherent weakness of this type of bicameral legislation, Mr. Speaker, is that the government will pass this bill. We know it, and as long as we know that we know that we can effectively condemn this type of amendment for two reasons: One, because it effectively changes the substance of the bill; and the second reason is that it was slurred in, sneaked in, unmanly sneaked in to compromise the responsibilities of the Opposition. And the Premier of this Province sits here this morning and watches it all go on as if he were a non-participant, as if he has really no interest in this. Well, our 'Brian' gave us a new six pound bag -

MR. NEARY: He is going to call a by-election (inaudible) Bay de Verde (inaudible).

MR. MOORES: -and now he is giving us a new type of government that does not have the courage and the fortitude to face the people of this Province -

MR. NEARY: What Tories are left in Placentia now, you can put on Merasheen Island.

MR. FLIGHT: Yes, and the population will increase by two.

SOME HON. MEMBERS: Oh, oh.

MR. CHAIRMAN (Baird): Order, please!

SOME HON. MEMBERS: Oh, oh.

MR. FLIGHT: There will be no trouble to count the Tories in Burgeo - Bay d'Espoir in the next election either.

MR. CALLAN: (Inaudible) the 300 we have, let alone additional ones.

MR. CHAIRMAN (Baird): Order, please!

MR. MOORES: How much time, Mr. Chairman?

MR. CHAIRMAN: About eight minutes.

MR. MOORES: Former Premier Smallwood always told me to use these interruptions as a method by which to collect your thoughts. And for that reason, Mr. Chairman, I never shun these interjections.

MR. ANDREWS: I have never known him very well, myself.

MR. MOORES: Well, that is your loss, really.

SOME HON. MEMBERS: Hear, hear!

AN HON. MEMBER: That is what makes you (inaudible)

MR. FLIGHT: You cowered around long enough at certain times in your career, old man. I will tell you, there was a time when you wanted to know him.

MR. ANDREWS: Never!

MR. FLIGHT: You used him to enhance your career. You did not do much of a job with it, but you used him.

MR. MOORES: Mr. Chairman, in relation -

MR. ANDREWS: (Inaudible)

MR. FLIGHT: Yes, we know.

MR. MOORES: In relation to this amendment, Mr. Chairman, there is no such thing as needless repetition. I cannot repeat often enough, I cannot repeat often enough what kind of indirect skulduggery is going on in this Province today with this Peckford administration. Now, if I could repeat it a million times, I could not get a better exemplification of what I mean than this amendment

MR. MOORES: that has been put before this House this morning. Unbelievable, Mr. Chairman! You would not even get away with this type of governing in the Soviet Union. You would not, because even in the Soviet Union they have various pressure groups that watch these things and monitor government action or inaction. There is not complete anarchy in Russia. They do have a people - but here in this Province the government and the Premier act like there are no people, like there is no Opposition, like there is no House of Assembly. They just go off on their own and they say, 'However we can do this, by hook or by crook we are going to do it.' Deception is the root word, mislead is the thrust. Anyway we can do it, by whatever means possible,

And if there is ever, Mr. Chairman, an example of Machiavellian tactics in the true sense of Machiavellian politics, this is it. Sneak it in, compromise everyone, take everyone that we can take for what they are worth. Never mind about the principles involved. Just sickening, Mr. Chairman, to see a Premier and a government getting on with this trash and childishness and immaturity. They do not know how to run a government any more than the banana republics in South America. It is just incredible.

And they expect the Opposition of this Province to sit and take it. Now what kind of fools, what kind of fools do you think we are? And that is what grates me, Mr. Chairman, that is what irritates me more, to think that the Premier of this Province thinks he is smarter than I am. He may think it -

MR. WINDSOR: He knows it.

MR. CALLAN: Does the member for Fortune - Hermitage (Mr. Stewart) want Gaultois resettled?

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: Yes.

MR. STAGG: If he did they would (inaudible)

MR. CALLAN: That is true.

MR. MOORES: What is that?

SOME HON. MEMBERS: Oh, oh!

MR. CALLAN: He does not want the fish plant re-opened.

MR. MOORES: If the member for Burgeo - Bay d'Espoir (Mr. Andrews) -

MR. HOLLETT: How come everybody moved off half the island (inaudible)

MR. ANDREWS: They moved by themselves.

MR. HOLLETT: Well, they still moved.

MR. CHAIRMAN (Baird): Order, please!

I would ask the hon. member

to (inaudible)

MR. HOLLETT: Just go down and talk to some of the people who have resettled and see what they think.

MR. CALLAN: Go to Arnold's Cove and see what they say about resettlement.

MR. CHAIRMAN: Order, please.

MR. MOORES: If the member for Burgeo - Bay d'Espoir thinks that resettlement ended in 1971, well that just goes to show how well the Premier of this Province can mislead even his Cabinet Ministers.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: 25,000 Newfoundlanders out in Alberta.

MR. MOORES: I will tell you that resettlement - if the Premier

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EL - 4

MR. PATTERSON: That is a voluntary movement.  
SOME HON. MEMBERS: Oh, oh!  
MR. HOLLETT: Oh, listen to him.  
MR. HANCOCK: He must work in Newfoundland.  
SOME HON. MEMBERS: Oh, oh!  
MR. HANCOCK: Nobody works in Newfoundland.  
MR. PATTERSON: I followed construction work  
all over North America (inaudible).  
SOME HON. MEMBERS: Oh, oh!  
MR. CHAIRMAN (Baird): Order, please!  
MR. HOLLETT: (Inaudible) federal government  
through the Manpower (inaudible).



MR. CHAIRMAN (Baird): Order, please! Order, please!

This House stands recessed for five minutes.

RECESS:

MR. CHAIRMAN: Order, please! The hon. member for Carbonear has five minutes left.

MR. MOORES: Mr. Chairman, thank you very much.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please! The member for Carbonear has the floor.

MR. MOORES: Yes. Keep her down now boys for five minutes, will you?

Thank you, Mr. Speaker. I like calling you Mr. Speaker rather than Mr. Chairman. I know the difference. It is just that - the intent is still there.

MR. HOLLETT: He is distinguished looking.

MR. MOORES: My heart is in the right place. Yes.

Well, Mr. Chairman, it has been a very exciting twenty-five minutes - or fifteen, I am sorry. I have been speaking for fifteen minutes. It is very exciting. It cannot be said at least that I do not create a reaction. I notice that the Premier has been chewing on a pencil or something ever since I started.

MR. HANCOCK: He is always -

MR. MOORES: I wonder is it possible that I might be getting through to the Premier, that he might see the light of the folly of his President of the Council. I often said, you know, if you never know the difference, if you do not know the difference between actually being Prime Minister, or Premier of the Province of Newfoundland, and being the Premier,

MR. MOORES: then you should ask the President of the Council (Mr. Marshall), because he is the Premier actually, but the Premier merely sits in the Chair.

MR. NEARY: We are going to have a message from the principal now after you are finished.

MR. TULK: In the auditorium.

MR. NEARY: In the auditorium.

MR. MOORES: We have no chalk though.

MR. LUSH: And no money to buy any.

SOME HON. MEMBERS: Hear, hear!

MR. MOORES: If the Premier has no chalk he certainly has lots of cheek.

SOME HON. MEMBERS: Hear, hear!

MR. MOORES: Particularly - it depends on where you go. If you go to Carbonear - he would rather resettle than go to Carbonear. Although he is trying valiantly these past few weeks, particularly since the last municipal election, to ground out, churn up some kind of a candidate to run against me.

MR. CHAIRMAN (Baird): Order, please! I think we are beginning to wander again.

MR. STAGG: It is fellows like you who keep legitimate people from running for the Liberal Party.

MR. CALLAN: Oh, listen to the pot calling the kettle smut.

SOME HON. MEMBERS: Hear, hear!

MR. CALLAN: You would love to be in the Cabinet, would you not?

MR. CHAIRMAN: Order, please!

MR. MOORES: Mr. Chairman -

MR. HOLLETT: We are going to get all the eighteen to twenty-five votes because of it.

MR. STAGG: You are going to get the eighteen to twenty-five votes, are you?

MR. HOLLETT: 70 per cent of them.

MR. MOORES: It certainly has been,  
Mr. Chairman, a pleasure for me this morning to get up  
here and submit to this hon. House, and the members therein,  
my few comments on this extraordinary -

MR. LUSH: Humble comments.

MR. MOORES: - these few humble comments on this  
extraordinary event in the procedure of this Legislature,  
how the Government of this Province, vis-a-vis the President  
of the Council, President of the Executive Council, can come in  
and try to hoodwink the people of this Province, particularly  
these handicapped people, whom I have a lot of respect for, by  
the way. Because I have people in my immediate family who  
are handicapped, and seriously so, both with multiple sclerosis  
and other types of handicaps, And I find this no joke, Sir, no  
joke at all. And I would consider it a real contribution to  
the handicapped of this Province, if the President of the Council

MR. MOORES: now would take it upon himself in a manner which he can at times certainly do - he is an honourable gentleman, there is no question about that - to just withdraw this amendment so we can pass the bill and we can all go home for Christmas.

Thank you, Mr. Chairman. ~~X~~

MR. CHAIRMAN (Baird): The hon. Minister of Labour and Manpower.

~~X~~ MR. DINN: Now, Mr. Chairman, I stood up to speak on this amendment because I think that this bill is a very important piece of legislation in this House of Assembly, in this sitting. I think it is very important for the disabled people in this Province to have this piece of legislation put through. Anybody who has observed the House of Assembly in the past week had seen nothing but stalling tactics, had seen nothing but filibustering. And, Mr. Chairman, it is very, very important, and I stress this to all hon. members, it is very important that this piece of legislation be passed. This piece of legislation was discussed with many organizations, as I have outlined to all members of the House of Assembly. The amendment has been discussed. As a matter of fact, Mr. Chairman, I will say this, the organizations which came in and discussed this legislation in my department, all the organizations that I have outlined previously when I spoke, all the organizations -

MR. NEARY: Since the bill came in the House.

MR. DINN: The hon. member for LaPoile (Mr. Neary) knows that that is impossible. But I can tell the hon. member this, I can tell the hon. member that what we have in this legislation is a bonus to what we discussed with all the organizations that I have outlined. They were absolutely delighted, Mr. Chairman, they were absolutely

MR. DINN: delighted that the Government of Newfoundland and Labrador recognized, in the Year of the Disabled, the disabled people, by bringing forth legislation such that they would have access to buildings in this Province.

SOME HON. MEMBERS: Oh, oh!

MR. DINN: Mr. Chairman, I did not interrupt hon. members opposite and I would like, for the next five minutes or so, to get some quiet in this House so that I can outline to hon. members so that they understand the seriousness of what they are doing here this morning. Now, I outline to hon. members, they may not know this, but I outline to hon. members that the draft piece of legislation that I had prior to it coming into this House, Mr. Chairman, had nothing in there with respect to existing buildings and they were absolutely delighted, Mr. Chairman, with respect to the piece of draft legislation that we had proposed, access to public buildings and access to certain other buildings.

MR. HODDER: Because you say so.

MR. DINN: I say so. And, Mr. Chairman, it is common knowledge, it is parliamentary practice that - the hon. member for Fogo (Mr. Tulk) who is now being out of order as usual in the House, being out of order because he is not allowed to interrupt speakers when they are speaking, the hon. member for Fogo (Mr. Tulk) should know, he should know that the piece of legislation discussed with all of these organizations, Mr. Chairman, approved by all of these organizations had nothing with respect to what we are attempting to do here today, and that is not only provide access for the disabled to certain public buildings but to provide access to other structures, to other buildings, Mr. Chairman. And this

MR. DINN: piece of legislation enables the government of this Province to provide access to certain buildings. And hon. members know that it has to be flexible, because I outlined to hon. members that there are certain buildings that cannot be modified, architecturally engineering-wise cannot be modified and, therefore, Mr. Chairman, have to have this sort of flexibility. And, Mr. Chairman, I caution hon. members opposite, and hon. members know what has gone on and the public of this Province

MR. DINN: will know and the press of this Province know that what has gone on in this House over the past few days is filibustering, is delaying tactics, Mr. Chairman. And before the time comes I want to outline to hon. members that this is very important for the disabled people in this Province and I ask hon. members to consider what we have here as a piece of legislation. I ask hon. members to consider very carefully this amendment - and I am talking to every hon. member in this House - to consider what we are doing here this morning because it is very important to get on with the job in this year of providing access to certain buildings in this Province.

MR. HODDER: Sit down and we will vote on it.

MR. DINN: Okay, Mr. Chairman, I will sit down if the hon. members will vote.

MR. NEARY: Mr. Chairman, just for a moment.

MR. DINN: I will have to stand up again (inaudible).

MR. NEARY: (Inaudible) the House - maybe the way to get around it -

MR. DINN: The hon. the Opposition House Leader asked me to 'Sit down and we will vote on it.'

MR. NEARY: I am just going to offer a compromise.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN (Butt): Order, please! Order, please!  
The hon. the member for LaPoile.

MR. NEARY: I am going to offer a compromise to the President of the Council (Mr. Marshall). In his amendment would he be prepared to include, when major

MR. NEARY: renovations take place -  
I know what the hon. gentleman is getting at in the amendment, he does not want to bankrupt the whole industry. But would he include in the amendment, when major renovations take place that they would have to make provision for access to handicapped people?

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

MR. MARSHALL: If I could answer that, Mr. Chairman. That is why it is intended for there to be regulations, and I can tell the House that in the regulations there will be - and I can undertake with the House that -

MR. NEARY: (Inaudible).

MR. MARSHALL: No. Because there are other things as well that are going to make the act apply in a more embrasive way to existing structures as well; that is just part of them, but that will be included in the regulations.

On motion, amendment carried.

On motion, Clause 5 as amended, carried on motion Clauses 6 through 17, carried.

MR. CHAIRMAN: Shall Clause 18 carry?

MR. HODDER: Mr. Chairman.

MR. CHAIRMAN: On Clause 18, the hon. the member for Port au Port.

MR. HODDER: Mr. Chairman, if hon. members will look at Clause 18. I find Clause 18 more objectionable than the amendment that just went through.

I am sorry, Mr. Chairman,  
I am on Clause 20. Go ahead.



MR. CHAIRMAN (Butt): Shall Clause 18 carry?

MR. WARREN: Mr. Chairman.

MR. CHAIRMAN: The hon. the member for Torngat Mountains on Clause 18.

X  
MR. WARREN: I have a question, Mr. Chairman. The appointment of the advisory board - I am just wondering - maybe the President of the Council (Mr. Marshall) or the Minister of Labour and Manpower (Mr. Dinn) could answer this question - why could not the advisory board be made up of people who are handicapped? I mean, these are the people who know what is needed. These are the people who are in the unfortunate position of being in the category of the handicapped. Why could not this advisory board be made up of people in this category? That is my concern.

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

MR. MARSHALL: I think the Minister of Labour wishes to answer that, does he?

MR. CHAIRMAN: The hon. the Minister of Labour and Manpower.

X  
MR. DINN: Mr. Chairman, obviously, Clause 18 is an enabling clause to allow us to set up an advisory board. We have been receiving advice, as I outlined to the hon. member, for the past couple of years, from different organizations, and I think we can say without fear of too much contradiction here that these people will be recognized and made members of the advisory board. That is the whole purpose of it. The reason for the advisory board is that - as I outlined to hon. members, I do not know everything that goes on, everything that needs to be done, and the advisory board will advise the minister so that I can make changes if changes are required.

MR. WARREN:

Mr. Chairman.

MR. CHAIRMAN (Butt):

The hon. the member for  
Torngat Mountains has another question.

MR. WARREN:

Mr. Chairman, I would just  
like to go one step further and ask the minister why  
would he not now make an amendment to Clause 18 saying  
that the advisory board

MR. WARREN: will be made up of members of the disabled population, Why not put that into the act now instead of bringing back a bill next year or later on? Why not put that into the act now, saying that the advisory board, this bill, An act to amend and revise the provision for the disabled people, why not bring that into the act at the present time and then it is over and done with and people from the disabled population are on and responsible with this advisory board?

MR. CHAIRMAN(Baird): The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Chairman, I will try to outline again for the hon. member, we do not need to bring back more legislation. This is enabling, it allows the Lieutenant Governor in Council to do it, to appoint these members to the board. You do not have to come back to the House. That is one of the positive things that we have in this bill, it enables us to do certain things. That is one of the things it enables us to do. I just outlined to the hon. member that this will be covered, the Lieutenant Governor in Council, as is normal in most cases, will appoint members to the advisory board and, Mr. Chairman, I can say to the hon. member that some of them on the board will be representatives of the disabled in the Province, You do not need new legislation.

MR. CHAIRMAN: The hon. member for Port au Port.

MR. HODDER: Mr. Chairman, I just want to say a word and then my friend and colleague from Torngat Mountains (Mr. Warren) can have a word. But this section, Section 18 - I had intended to stand on Section 20, but it all ties in together. I have been reading all the sections together but this particular section only allows, it allows the Lieutenant Governor to appoint whosoever they may.

MR. DINN: In most cases that is the way it is.

MR. HODDER: Well, I do not think. Mr. Chairman,

MR. HODDER: that that is very good when we are talking about - I believe that the member for Torngat Mountains (Mr. Warren) is dead on, Mr. Chairman, when he says that this board should be spelled out. And I think that this board should at least have 50 per cent plus one, that the people on that board should be handicapped people. And, Mr. Chairman, what this does - and when we get to Section 20 I will explain a little further - but what this section does is gives the government - now you will remember that justice must not only be done but it must appear to be done - but it gives the government the right to appoint any type of board that it wishes. There is no specific board mentioned, It gives the government the right to appoint any type of board, they can all be construction people every single one of them. And when we get to Section 20, Mr. Chairman, I will tell the hon. minister why, in this section, it is so important that the handicapped people be put there.

MR. CHAIRMAN (Butt): The hon. member for Torngat Mountains.

X  
MR. WARREN: Yes, Mr. Chairman, I would like to continue to address this Clause 18 to the Minister of Labour and Manpower (Mr. Dinn) and I probably could read the last part of Clause 18, section 1, "The Lieutenant Governor in Council consisting of the following members, namely, a chairman one representative of the Department other than the director, and such other members as the Lieutenant Governor may appoint". How many are we talking about, one, two, three, four, fifty, twenty-five, thirty? This is my first one and the second one is, why - I would like for the minister to tell me - why he cannot advise the House now that every member on this advisory board will be a person from the handicapped society? Why can the minister not tell the hon. House now why every individual person on that advisory board is not a member of the handicapped society?

MR. CHAIRMAN (Butt):  
and Manpower.

The hon. the Minister of Labour

MR. DINN:

Mr. Chairman, the flexibility is provided in Section 18 so that if a new group comes along - two years ago when we had an original bill, or three years ago when we had an original bill in here, the consumer organization for the disabled did not exist. It would be the wish of government to have a representative of certain organizations on this board. Now, if we lay it out in legislation now that it shall be a representative of the Consumers Organization for the Disabled, a representative of the Community Services Council or a representative of architects or engineers who know what needs to be done to certain buildings so that they can give good advice, if we lay it down, engrave it in stone in legislation, it cannot be changed. That is why it gives the flexibility there. Any such other members as the Lieutenant Governor may appoint. If

MR. DINN: a new organization starts in 1982, you might want to appoint someone to that board from that organization. And, Mr. Chairman, that is why the flexibility is there and that is why it has to be there.

MR. HISCOCK: Mr. Chairman.

MR. CHAIRMAN (Butt): The hon. member for Eagle River.

MR. HISCOCK: I would like to say a few words on this. When we set up the Advisory Council on the Status of Women, we appointed all women to the board. When we set up the Arts Council, we had all people related to the arts field and I cannot see why we cannot have this. If we need to have consulting engineers and architects and other things, then they can be brought in in various ways. We do not necessarily need to have them on the board.

For example, Candian National, when they are building their new ship on the Gulf part, they are having one person who is blind, one who is handicapped, disabled and another deaf, all involved with the architects on the design for that new ship so that it will be available and have accessibility to the disabled. There is no question that we need a constitution in this country and a Charter of Rights and one of the things it says in the Charter of Rights is not to discriminate against the disabled.

Here we do not even have it yet, it was just approved by Parliament and here is an example of why we need it. This is why we need this. We need the act to be able to look after the disabled. We need not only the buildings, Mr. Speaker, that are older. This government - this side the Opposition here, we are not saying that we have to go out and spend millions and millions of dollars renovating older buildings, but we are saying if

MR. HISCOCK: we are going to get into new design, and new buildings, then we should have people on our advisory board who say look, these buildings should be more accessible to ourselves because we are blind or because we are handicapped or because we are deaf or whatever. And we are a little bit concerned on this side that this concern is not being shared by the government, that somehow or another, now this bill is basically being wiped out because pressure is being applied by the architects, by the construction industry and by some of the larger business people of our Province.

And I, for one, would like to ask the question with regard to this board, I think it is extremely important. There is no question that we could probably have other outside consultants make reference to that board. Surely that is what the Department of Social Services is for. But I was a little bit amazed that the Minister of Culture, Recreation and Youth (Mr. Andrews) ended up stating that we cannot have all the buildings in the Province accessible; we cannot put an elevator up into the Bonavista lighthouse. How ludicrous! How ludicrous is he getting and here he is the Minister of Culture, Recreation and Youth, saying that we are suggesting that we are going to have to put up elevators and all these things all around the Province.

So, Mr. Chairman, I, for one, would like to have this board set up - have the board members representing the disabled of this Province and not only have it included in the Charter of Rights, but let us put some teeth in it. Let us put them where they belong.

Women are on the Status of Women Council. We have the Arts Council and we have the arts people there, and now with the disabled bill

MR. HISCOCK: that we are bringing in, the Year of the Disabled - let us not have a camouflage, let us not have another PR job that we are doing this just because the UN dictated it, let us put some guts in it and let us end up putting the board where it should be.

MR. MARSHALL: Mr. Chairman.

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

X  
MR. MARSHALL: Mr. Chairman, I could say - I just want to respond briefly to this to say that the Minister of Labour and Manpower (Mr. Dinn) has given the government's position. The government's position is that there has to be latitude with respect to the appointments on this committee, and on this committee will be people involved with handicapped people. And, indeed, handicapped people themselves will be on the committee, obviously.

Now, I make that position. I mean, you know, -

MR. HANCOCK: (Inaudible)

MR. MARSHALL: No. Two sides can disagree. This amendment as we put here, the government has no intention of changing this particular one, this Section 18 and the hon. gentlemen there opposite disagree with it. Well, the thing to do is we can put it to a vote. And the reason why I am saying this is to put the government's position. We are not going to change. We do not feel it should be changed, after listening to what hon. gentlemen have said. And the reason I say this is because if this bill is to go through, as I would hope it would be able to go through today, particularly I think all members would like to see this bill, whether they agree with it or the terms or not



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MR. MARSHALL:  
Handicapped -

in this year, the Year of the

AN HON. MEMBER:

(Inaudible)

MR. MARSHALL:

- Just a second now. His

Honour, the Lieutenant-Governor is going to be here in  
about

December 4, 1981

Tape No. 4068

NM - 1

MR. MARSHALL: five or ten minutes, so I just put that before the -

MR. NEARY: We have got a couple of meetings before Christmas.

MR. MARSHALL: - yes, I put this before the committee, Mr. Chairman, so that the position will be known and crystal clear. We are not going to change it. We can talk on this between now and Christmas and we will not.

MR. NEARY: A point of order, Mr. Chariman.

MR. CHAIRMAN (Butt): A point of order, the hon. member for LaPoile.

MR. NEARY: I get the feeling, from what the hon. gentleman just said, that the House is going to suddenly close today. Is that what the hon. gentleman is saying, that we will not have time to debate this matter either today or on Monday?

MR. MARSHALL: (Inaudible).

MR. CHAIRMAN: Order, please!

MR. NEARY: Is the House going to close today?

MR. CHAIRMAN: Order, please! Order, please! That is not a point of order.

The hon. the President of the Council.

MR. MARSHALL: Mr. Chairman, it is not a point of order but in accordance with the remarks that I have already made - I have already indicated to the Opposition House Leader that the Lieutenant-Governor will be in this morning at 12:30, and it is the intention of the House, after he gives assent to the bills that are able to be assented to, and I would certainly hope that this one would be one of them, it is the only other one beside the two all ready for third reading that we would anticipate that he would give the assent to, that we will be moving the adjournment of the House.

SOME HON. MEMBERS: Until when?

MR. MARSHALL:

Until after Christmas.

MR. CHAIRMAN (Butt):

The hon. member for Port au

Port on clause 18.

SOME HON. MEMBERS:

Oh, oh!

MR. FLIGHT:

This is unbelievable. Mr. Chairman.

MR. CHAIRMAN:

Order, please! Order, please!

MR. HODDER:

Mr. Chairman, I just want to say

one thing for this side of the House, perhaps, if I could.

I would like to say one thing for this side of the House, we

would like to put through this bill, but there is one maxim

that is very true, that regardless of how important a piece

of legislation is, if it is bad legislation it is bad

legislation. Now, Mr. Chairman, we have been holding up this

particular bill this morning on a couple of points, but there

is another point that comes up in section (20) -

MR. CHAIRMAN:

That is all Right. We will deal with

that. We will deal with Section 20 when we come to it.

MR. HODDER:

I know we have not come to section

(20) yet.

MR. MARSHALL:

We will deal with section 20.

MR. HODDER:

But that is why this section is

so very important. Because if a board can be appointed

arbitrarily by the government, made up of whomever a government

thinks should be on that particular board, and then there is

no appeal to a court afterwards - that is the whole point,

Mr. Chairman - if there is no appeal from that board, that board

is the final and absolute authority, then it makes the whole

bill a mockery. Now, we will not pass that, Mr. Chairman.

MR. MARSHALL:

Wait until we get to that and

will address your concern.

PREMIER PECKFORD:

We are willing to address ourselves

to that. Do not jump the gun.

MR. CHAIRMAN:

Shall clause 18 carry?

MR. HODDER: No, Mr. Chairman, I have not finished. Mr. Chairman, I want to say one other thing, that there is no reason that this House has to close today. I do not see why we cannot have proper amendments to this bill, come back on Monday, debate it properly, and have proper amendments to this bill and pass it unanimously. There is no reason, because the members of this House of Assembly want to get home for their Christmas holidays, because they want to get back to their families or go South, that we should take this bill on the handicapped and rush it and force it through before twelve-thirty today.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: Shall clause 18 carry?

The hon. member for Grand Bank.

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

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN (Butt): Order, please!

MR. THOMS: Mr. Chairman, if the hon. Minister of Fisheries is finished talking about his per diem, maybe I can say a few words about that.

SOME HON. MEMBERS: Oh, oh!

MR. THOMS: I am not keeping the House open, Mr. Chairman.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please! Order, please! The hon. member for Grand Bank is about to -

MR. THOMS: I am not keeping the House open for a per diem, Mr. Chairman, because I cannot receive a per diem. So nobody can fling that accusation across the House at me.

MR. THOMS:

Mr. Chairman, due to circumstances beyond my control I just arrived in the House, but I understand what we are debating is clause 18 of the Accessibility Bill, and as I understand it, what my friends on this side of the House want is assurance, a guarantee that the advisory board that is being set up under this act, to advise in these matters, should contain by right, by statute, not at the whim of the Lieutenant-Governor in Council, i.e. at

MR. THOMS: the whim of the Cabinet of this administration that this board should be represented by - that on this advisory board should be a member of the Handicapped Association of this Province. Now, I really do not see, Mr. Chairman, what all the fuss is about. I really cannot understand what all the fuss is about. If there is any association in this Province that should be represented on the board, it should be the handicapped, and this is why, this is the purpose, this is the reason that this bill is before the House. This is the reason that we are debating it. It seems to me to be a fair, totally fair request for this side of the House to make and for hon. members, if they wish to on the other side of the House, write it right in Clause 18. It is my understanding that this is what we on this side of the House want and it seems to me to be a fair and reasonable thing to do. I mean, this is what the Charter of Rights in our new constitution is all about, to make sure that rights are enshrined in the Constitution in the Charter of Rights. And I simply do not want the Cabinet of this government to decide whether or not somebody from the Handicapped Association is to be represented on that board.

Why not? If the minister introducing this bill can tell me just simply why not, why is not the one association, the persons that this bill is all about, the reason, the purpose, why we are discussing it here, why it is before the House. It is because of the handicapped people of this Province.

PREMIER PECKFORD: Mr. Chairman, may I interrupt the hon. member?

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

PREMIER PECKFORD: Because we are in a time frame here, I am prepared to recommend to the Committee that

PREMIER PECKFORD: we amend on Clause 18(1) to ensure that disabled people will be on that board as a legislative right and I am prepared to remove Clause 20(a), the one that the hon. the member for Port au Port (Mr. Hodder) is concerned about, 20 -

AN HON. MEMBER: Twenty (B) six.

PREMIER PECKFORD: No, it is not.

MR. ROBERTS: Twenty-six.

MR. MARSHALL: Yes, twenty-six.

MR. ROBERTS: (Inaudible) and twenty-four (inaudible) the director.

PREMIER PECKFORD: Yes. Well, I know the two arguments that have been made and we are prepared to include as a legislative right that the disabled would be represented on the board, obviously, seeing there is some mistrust that a Lieutenant-Governor in Council in the future would have such a board without a disabled person on it, but we will not get into that, fine, and two, that this whole question of -

MR. MARSHALL: Appeal to the court.

PREMIER PECKFORD: - appeal to the court be provided -

MR. MARSHALL: Shall be subject to review by the court.

PREMIER PECKFORD: Yes. The decision of the board is final and not subject to review by the court.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (Butt): Order, please! Order!

MR. ROBERTS: The Premier is (inaudible).

PREMIER PECKFORD: Yes, well, I was just trying to deal with two points that came up; one was the point of having disabled people represented on the board - okay - and the other one that the member for Port au Port mentioned. Now, there might be others that the

PREMIER PECKFORD: member for the Strait of Belle Isle would like to propose.

MR. ROBERTS: There is one other.

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

PREMIER PECKFORD: It has to do with the direct power of the director.

MR. ROBERTS: No, I think we have made some progress. The Premier's two amendments take care of - to drop 26 means somebody could go to a court. Now there is also Clause 24. I know we are jumping around but I think that is acceptable.

MR. CHAIRMAN: Do we have agreement on that yet?

MR. ROBERTS: Clause 24 gives a director the most astonishing powers in effect to negate the whole bill.

PREMIER PECKFORD: Right.

MR. ROBERTS: Well, I would move it be deleted if that is in order, or if government want to move it, I mean, I do not care who moves it.

MR. HODDER: (Inaudible).

MR. ROBERTS: Well, let us move it, seconded by my friend from Port au Port (Mr. Hodder) that we will -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Mr. Marshall.

MR. MARSHALL: I move that Section 18(1) be amended -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please! Order, please!

MR. MARSHALL: - be amended to insert between the words 'chairman' and 'one' appearing in line 5, the



MR. MARSHALL: words, 'representatives of the disabled', okay?

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: So that the - I know it is getting near Christmas, Mr. Chairman, but I get a little bit uncomfortable when the Liberals applaud me. So that now it will read as follows, Mr. Chairman, 'There is hereby established a Buildings Accessibility Advisory Board to be appointed by the Lieutenant-Governor in Council, consisting of the following members, namely, a chairman, representatives of the disabled'. Then it goes on, 'one representative of the Department, etc.' okay?

MR. CHAIRMAN (Butt): Shall the amendment carry?

SOME HON. MEMBERS:

Hear, hear.

MR. MARSHALL:

I move the amendment.

On motion, amendment carried.

On motion, Clause 18 as amended, carried.

On motion, Clause 19, carried.

MR. CHAIRMAN (Butt):

Shall Clause 20 carry?

MR. MARSHALL:

On Clause 20, Mr. Chairman.

MR. CHAIRMAN:

The hon. the President of the

Council on Clause 20.

MR. MARSHALL:

I move that subsection (6) of Clause

20 be - I would move further, I would move, I think, subsection

(2) of Clause 20, 'When the board receives notice of appeal - '

instead of 'it may decide without a hearing' all the words

after subsection (1) be deleted and replaced by the words 'Where

the board receives a notice of appeal under subsection (1)

it shall hear the appeal' - okay? So I move that amendment.

And farther in subsection (6) I move that 'The decision of the

board is final and not subject to review by a court', be changed

to read, 'The decision of the board shall be reviewable by

a court'.

MR. ROBERTS:

(Inaudible) District Court.

PREMIER PECKFORD:

Can you put in the regulations

which court?

MR. MARSHALL:

Well, I do not know whichever court,

I think that would go by the Adjudicator Act or some other -

SOME HON. MEMBERS:

Oh, oh!

MR. MARSHALL:

Well, I think it would be better

by a District Court then, because that would give it accessibility

throughout the Province more.

SOME HON. MEMBERS:

Hear, hear.

On motion, the amendment, carried.

On motion, Clause 20 as amended, carried.

On motion, Clause 21 to Clause 23,

carried.

MR. CHAIRMAN (Butt): Shall Clause 24 carry?

MR. MARSHALL: On Clause 24, Mr. Chairman.

MR. CHAIRMAN: The hon. President of the Council on Clause 24.

MR. MARSHALL: Clause 24, Mr. Chairman, I have to say to the Committee this is a clause where I think, with the greatest respect, perhaps bureaucrats ran wild and I am glad the Committee has drawn it to our attention because where in the -

MR. ROBERTS: (Inaudible) Your problem is you have not read it.

MR. MARSHALL: Oh, I read everything, you know, but -

PREMIER PECKFORD: (Inaudible) to get it in there.

MR. MARSHALL: 'Where, in the opinion of the director, exceptional circumstances exist rendering strict compliance with' -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

MR. MARSHALL: - 'a regulation impractical the director may grant' - Mr. Chairman, I really feel that that entire section should be deleted.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: I move the deletion of Section 24.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: And the consequential renumbering of Sections 25 to 29 to read 24 to 28.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: So it is agreed that Clause 24 be deleted.

SOME HON. MEMBERS: Carried.

MR. CHAIRMAN: Carried.

MR. ROBERTS: Mr. Chairman.

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

MR. ROBERTS: One further, it is not a major point but I would take just a minute.

MR. HANCOCK: Get what you want now, 'Ed'.

MR. ROBERTS: Clause 25 (3) - 25(1) gives the director or somebody the power to - I do not know why it is the director and not the Cabinet, because the director is not even the minister, but be that as it may, gives the power to adopt a standard. Sub-clause (3) of that section, says 'A later one is automatically deemed to be adopted.' Now, I am not sure that is really very practicable. It would mean that the director would make an order saying the 1981 edition is adopted. And anybody looking at the order would know it was 1981 and nothing else. And then unbeknownst to anybody along then came an 1984 one, the effect of sub 3 would be to make the 1984 one law. I do not think that is very practicable. I do not think it is correct. And I would ask if the minister, in line with or consistently with his other reasonable approach on this, would drop sub 3. The director can always adopt a new one any time he wants to.

MR. MARSHALL: Mr. Chairman.

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

MR. MARSHALL: That observation is well taken, Mr. Chairman, and I concur with the observation. I move the deletion of sub-clause (3) of now Clause 24.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: Shall the amendment carry?

On motion amendment carried.

On motion Clause 25 as amended carried.

On motion Clauses 26 through 29.

Motion, that the Committee report

having passed the bill with amendment, carried.

X

#118

MR. MARSHALL: Mr. Chairman, I move that the Committee rise, report progress and ask leave to sit again.

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. the member for  
Conception Bay South.

MR. CHAIRMAN(Butt): Mr. Speaker, the Committee  
of the Whole have considered the matters to them referred  
and have directed me to report having passed Bill No. 118  
with amendments and ask leave to sit again.

On motion, report received  
and adopted.

On motion, amendments  
read a first and second time, bill ordered read a third  
time now, by leave.

On motion, a bill, "An  
Act To Amend And Revise The Law Providing For Accessibility  
To Buildings For Physically Disabled Persons", read a  
third time, ordered passed and its title be as on the  
Order Paper. (Bill No. 118).

SOME HON. MEMBERS: Oh, oh!

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

A bill, "An Act To Amend  
The Provincial Parks Act". (Bill No. 100).

A bill, "An Act To Amend  
The Insurance Companies Act". (Bill No. 99).

MR. FLIGHT: After three weeks, why are  
we closing the House?

SOME HON. MEMBERS: Oh, oh!

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

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

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

A bill, "An Act To Amend The Constabulary Act". (Bill No. 46).

A bill, "An Act To Amend The Education (Teacher Training) Act". (Bill No. 50).

A bill, "An Act To Convey Certain Trusts And Properties In The Province To The Montreal Trust Company Of Canada". (Bill No. 52).

A bill, "An Act To Amend The St. Clare's Mercy Hospital (Incorporation) Act, 1960". (Bill No. 61).

A bill, "An Act To Amend The Summary Proceedings Act". (Bill No. 64).

A bill, "An Act To Amend The Government Reorganization (General And Miscellaneous Provisions) Act, 1973". (Bill No. 66).

A bill, "An Act To Remove Anomalies And Errors In The Statute Law". (Bill No. 89).

A bill, "An Act To Amend The Insurance Companies Act". (Bill No. 99).

A bill, "An Act To Amend The Provincial Parks Act". (Bill No. 100).

A bill, "An Act To Amend The Workers' Compensation Act (No.2)". (Bill No. 104).

A bill, "An Act To Ratify, Confirm And Adopt An Agreement Between The Government And The Government Of Canada Respecting Reciprocal Taxation Of These Governments And Their Agencies". (Bill No. 106).

A bill, "An Act To Establish  
The Alcohol And Drug Dependency Commission of Newfoundland  
And Labrador". (Bill No. 109).

A bill, "An Act To Enable  
Price (Nfld.) Pulp & Paper Limited To Become A Federal  
Corporation". (Bill No. 115).

A bill, "An Act To Amend  
And Revise The Law Providing For Accessibility To Buildings  
For Physically Disabled Persons". (Bill No. 118).

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



MR. FLIGHT: Why are you closing the House? Look at the legislation waiting to be dealt with.

MR. SPEAKER (Simms): Order, please!  
The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, I would, before moving the motion, so that there will be no misapprehension of what is going to happen, the House will be adjourning until the day set, February 25.

SOME HON. MEMBERS: Shame! Shame!

MR. MARSHALL: The intention -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: If I may, Mr. Speaker. This is instead - normally you would - not normally, sometimes you would prorogue at the end of the session, but we have decided, in case the House has to be recalled at any given time for reasons we do not anticipate, that we will adjourn until February 25. And it will not be intended -

MR. HISCOCK: (Inaudible).

MR. SPEAKER: Order, please!

MR. MARSHALL: If the hon. Squeaky, Mr. Speaker, could keep quiet -

MR. HISCOCK: Hon. Squeaky or not, I have a right to speak in this House. And I do not (inaudible).

MR. MARSHALL: Yes, well, the hon. gentleman has a right -

MR. SPEAKER: Order, please! Order!

MR. MARSHALL: The hon. gentleman has a right to speak, but he has the right to speak in his turn. I am trying to explain, Mr. Speaker, what we are doing.

On February 25, we will

MR. MARSHALL: meet to prorogue, Mr. Speaker, and the new session will start very shortly thereafter. So having said that, Mr. Speaker, I move that when this House adjourn today it stand adjourned until Thursday, February 25, 1982, at 3:00 p.m. provided always that if it appears to the satisfaction of Mr. Speaker or in the case of his absence from the Province, the Chairman of Committees, after consultation with Her Majesty's Government that the House should meet at an earlier time than the adjournment, the Speaker or in his absence, the Chairman of Committees may give notice that he is so satisfied and thereupon the House shall meet at the time stated by such notice and shall transact its business as if it had been duly adjourned to that time.

MR. SPEAKER (Simms): ~~The motion is that this~~ House do now adjourn. Is it the pleasure of the House to adopt the motion?

SOME HON. MEMBERS: No! No! No!

MR. SPEAKER: Those in favour 'aye'.

SOME HON. MEMBERS: 'Aye'!

MR. SPEAKER: Contrary 'nay'.

SOME HON. MEMBERS: 'Nay'.

SOME HON. MEMBERS: Division!

MR. SPEAKER: On division. Call in the members.

o o o

MR. SPEAKER: The motion is that this House now adjourn until February 25. Those in favour of the motion please rise.

SOME HON. MEMBERS: Shame! Shame! Shame!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order!

DIVISION

The hon. the Premier, the hon. the Minister of Development (Mr. Windsor), the hon. the Minister of Forest Resources and Lands (Mr. Power),

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. the Minister of Fisheries (Mr. Morgan), the hon. the Minister of Municipal Affairs (Mrs. Newhook), the hon. the Minister of Public Works and Services (Mr. Young), Mr. Butt, the hon. the Minister of Culture, Recreation and Youth and Environment (Mr. Andrews), the hon. the Minister of Labour and Manpower (Mr. Dinn), the hon. the Minister of Finance (Dr. Collins), the hon. the President of the Council (Mr. Marshall), the hon. the Minister of Rural, Agricultural and Northern Development (Mr. Goudie), the hon. the Minister of Education (Ms. Verge), the hon. the Minister of Health (Mr. House), Mr. Brett, Mr. Walsh, Mr. Baird, Mr. Rideout, Mr. Stagg, Mr. Collins, Mr. Carter, Dr. Twomey, Mr. Doyle, Mr. Patterson, Mr. Aylward, Dr. McHicholas, Mr. Stewart, Mr. Barry.

SOME HON. MEMBERS: Shame! Shame!

MR. SPEAKER: Those opposed to the motion please rise.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order! Order, please!

Mr. Flight, Mr. Lush, Mr. Hodder, Mr. Roberts, Mr. Thoms, Mr. Warren, Mr. Bennett, Mr. Hollett, Mr. Callan, Mr. Tulk, Mr. Hancock -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order!  
Mr. Hiscock.

SOME HON. MEMBERS: Order, please! Order!

SOME HON. MEMBERS:

Oh, oh!

MR. FLIGHT:

What about the Mineral Act?

SOME HON. MEMBERS:

Shame! Shame!

MR. SPEAKER (Simms):

The result of the vote:

'Ayes' twenty-eight, 'Nays' twelve. In my opinion the  
'ayes' have it and the motion is carried.

AN HON. MEMBER:

Burn the ballots. Burn

the ballots.

MR. SPEAKER:

May I take an opportunity

before we do adjourn to express appreciation to all of  
those who have assisted all members of the House during  
this past session. I refer to all the staff of the House,  
and the Hansard people of course who reqlently have a  
difficult task. I would be remiss if I did not thank the  
members of the Newfoundland and Labrador Press Gallery  
as well and anybody else I might have missed.

I know all members would  
want to express appreciation to those people for their  
assistance. Also I want to thank members of the House for  
their co-operation to the staff and express a particular  
word of thanks to the Deputy Speaker and the Deputy  
Chairman of Committees. We thank you for your patience  
and co-operation throughout this past session and at the  
same time I take the opportunity to wish all of you and  
your families a most enjoyable festive season.

While I am on my feet I  
would also like to invite members of the House and the  
staff and the Press Gallery to join me in a little  
Christmas spirit. I will use, simply for the purposes of  
size, the government common-room to my left because it  
is a bit larger. I would invite all of you to join us  
there.

Pursuant to the motion just  
passed then, this Third Session of the Thirty-Eighth  
General Assembly at least stands adjourned until Thursday,  
February 25, 1981 at 3:00 p.m.