

JOURNALS AND PROCEEDINGS
of the
SECOND SESSION
of the
FORTY-THIRD GENERAL ASSEMBLY
of
NEWFOUNDLAND
1997

Begun and holden at St. John's in the Province of Newfoundland on Tuesday, the eleventh day of March, One Thousand, Nine Hundred and Ninety-Seven, being the Forty-sixth year of the Reign of Her Majesty Our Sovereign Lady Elizabeth the Second by the Grace of God of the United Kingdom, Canada, and Her Other Realms and Territories, QUEEN, Head of the Commonwealth, Defender of the Faith.

His Honour the Lieutenant-Governor, the Honourable A. M. House, having fixed the hour at which he proposed to open the present Session of the Legislature at 2 o'clock in the afternoon of the 11th day of March, 1997, the Members of the House of Assembly met in the Assembly Chamber at 2 o'clock in the afternoon when Mr. Speaker Snow took the Chair.

Tuesday, March 11th, 1997

At 2 o'clock in the afternoon the Sergeant-at-Arms notified the Speaker that His Honour the Lieutenant-Governor, the Honourable A. M. House, had arrived.

His Honour the Lieutenant-Governor entered the Assembly Chamber preceded by the Sergeant-at-Arms.

The Speaker left the Chair.

His Honour the Lieutenant-Governor took the Chair.

His Honour was then pleased to open the Session with a Speech From the Throne.

His Honour then left the Assembly Chamber.

The Speaker resumed the Chair.

On motion of the Honourable the Government House Leader (Mr. Tulk) and by leave of the House, a Bill entitled, "An Act To Amend The Small Claims Act" (Bill No. 1) was introduced and read a first time.

On motion it was ordered that Bill No. 1 be read a second time on tomorrow.

The Speaker announced that His Honour the Lieutenant-Governor had been pleased to make a Speech to the Members met in the General Assembly and that for greater accuracy he had obtained a copy.

It was unanimously agreed that the Speech should be taken as read and copies distributed to Members.

It was moved by the Member for Labrador West (Mr. Canning) and seconded by the Member for Grand Falls - Buchans (Ms. Thistle) that an Address of Thanks be presented to His Honour the Lieutenant-Governor in reply to the Gracious Speech with which he had been pleased to open the present Session of the Legislature, and that a Select Committee be appointed to draft the Address In Reply.

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The Leader of the Opposition (Mr. Sullivan) and the Honourable the Premier (Mr. Tobin) spoke to the motion.

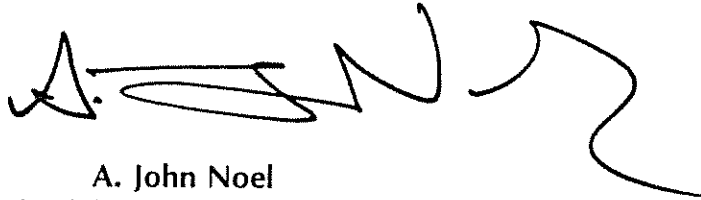
The motion was adopted by the House and it was ordered accordingly that the following Members be appointed to the Select Committee:

Mr. Perry Canning, Member for Labrador West
Ms. Anna Thistle, Member for Grand Falls - Buchans
Mr. Bob French, Member for Conception Bay South.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) gave notice that he would on tomorrow move that the House resolve itself into a Committee of the Whole on Supply to consider certain Resolutions for the Granting of Interim Supply to Her Majesty (Bill No. 2).

It was ordered that when the House rose it would adjourn until tomorrow, Thursday, March 13th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long horizontal stroke.

A. John Noel
Clerk of the House of Assembly

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Premier (Mr. Tobin) made a statement to announce the formation of a new Advisory Council on Economy and Technology. The Premier also announced the membership of the Council.

The Honourable the Minister of Social Services (Mr. Aylward) made a statement respecting the National Child Benefit Program.

By leave, the Honourable the Premier (Mr. Tobin), seconded by the Leader of the Opposition (Mr. Sullivan) and the Member for Signal Hill - Quidi Vidi, moved that the House send letters of condolences to the families of the late Mr. Gerald Hill and the late Mr. James Kelland, former Members of the House.

The Honourable the Speaker (Mr. Snow), in accordance with section 13 of the **Auditor General Act**, tabled the Auditor General's Report on the John Cabot (1997) 500th Anniversary Corporation.

The Honourable the Minister of Justice and Auditor General (Mr. Decker), on behalf of the Minister of Finance and Treasury Board (Mr. Dicks) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Tax Agreement Act" (Bill No. 3).

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to establish a universal comprehensive school lunch program for every school in the Province.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize the provincial parks.

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of certain citizens of the Province supporting the Royal Canadian Mounted Police.

The Member for Conception Bay South (Mr. French) presented a Petition on behalf of citizens requesting the Government to reverse the decision to privatize provincial parks.

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The Member for Baie Verte (Mr. Shelley) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

The Member for Labrador West (Mr. Canning) on behalf of the Select Committee appointed to draft a reply to the Speech of His Honour the Lieutenant-Governor, presented the Report of the Select Committee as follows:

"To His Honour the Lieutenant-Governor,
the Honourable A. M. House, C.M., M.D., FRCPC

May it please Your Honour:

We, the Commons of Newfoundland and Labrador in Legislative Session assembled, beg to thank Your Honour for the Gracious Speech which Your Honour has addressed to this House.

signed: Perry Canning
Anna Thistle
Bob French

Assembly Chamber
March 13, 1997".

The Honourable the Minister of Justice and Attorney General (Mr. Decker), on behalf of the Honourable the Minister of Finance and Treasury Board, informed the House that he had received a Message from His Honour the Lieutenant-Governor. The Message was read to the House by the Speaker as follows:

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"March 7, 1997

The Honourable the Minister of Finance

I, the Lieutenant Governor of the Province of Newfoundland, transmit Estimates of sums required for the Public Service of the Province for the year ending March 31, 1998, by way of Interim Supply and, in accordance with the provisions of the **Constitution Act, 1867**, I recommend these Estimates to the House of Assembly.

A. M. House
Lieutenant Governor"

On motion of the Honourable the Minister of Justice and Attorney General, the House resolved itself into a Committee of the Whole on Supply to consider a Certain Resolution and Bill No. 2 for the Granting of Interim Supply to Her Majesty.

The Speaker left the Chair.
Mr. Barrett took the Chair of Committee of Whole on Supply.

The Committee of Supply considered a certain Resolution and Bill No. 2 for the Granting of Interim Supply to Her Majesty.

On motion the Committee rose.
The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of Supply had considered the matter to it referred, had made some progress and asked leave to sit again.

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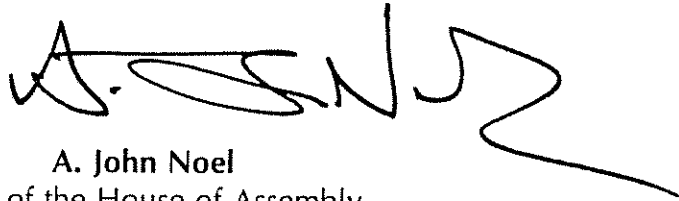
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On motion the report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

At 4:30 o'clock pursuant to Standing Order 31, certain questions raised by Members were debated, following which pursuant to Standing Order 31, the Speaker put the question that the House do now adjourn.

The motion was carried.

The Speaker left the until tomorrow, Friday, March 14th at 9 o'clock in the morning.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long, sweeping flourish extending to the right.

A. John Noel
Clerk of the House of Assembly

The House met at 9 o'clock in the morning pursuant to adjournment.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made a statement respecting the fishery on the Labrador coast and in particular, Government's decision to lease the middle-distance vessel, **Nain Banker**, to Torngat Producers Co-operative.

The Honourable the Minister of Education (Mr. Grimes) made a statement respecting the construction of new schools in Nain, Rigolet and Hopedale.

During Oral Questions, in reply to a question, the Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) tabled an Analysis of the Auditor General's Report, entitled Draft Report of the John Cabot (1997) 500th Anniversary Corporation: Review of Expenditures, dated February 15, 1997.

After Oral Questions, the Member for Terra Nova (Mr. Lush) rose on a Point of Order respecting certain language used by a Member.

The Speaker took the matter under advisement.

The Leader of the Opposition (Mr. Sullivan) gave notice that he would on tomorrow introduce the following Resolution:

"WHEREAS the Province has passed the **Tax Agreement Act**;

AND WHEREAS as a consequence of the implementation of the Harmonized Sales Tax on April 1 the prices of many essential goods and services will increase;

AND WHEREAS the increased tax rates on heating fuel, electricity, children's clothing and many other goods and services will impact most severely those surviving on small or fixed incomes, who comprise a major portion of the province's people;

AND WHEREAS the chairperson of the Senate of Canada Committee on Banking, Trade and Commerce has publicly urged the participating provinces to enact a provincial rebate system similar to that enacted by the federal government with respect to the Goods and Services Tax;

THEREFORE BE IT RESOLVED that this Honourable House urge the Government of Newfoundland and Labrador to enact a provincial annual income supplement program to help compensate low and fixed-income families for the added expenses they will incur as a consequence of the implementation of the HST."

The Member for St. John's South (Mr. Osborne) gave notice that he would on tomorrow introduce the following Resolution:

"WHEREAS the people of the province own the provincial parks the government is now trying to privatize;

AND WHEREAS the people of the province who own these parks were never consulted by the government about its decision to privatize their parks;

AND WHEREAS the people of the province are expressing loudly and clearly that they do not want their provincial parks privatized;

AND WHEREAS the government's rash, last-minute decision to privatize the people's parks without their prior knowledge or consent is fostering chaos and confusion which puts at risk the Cabot Celebrations and the most important tourism year in our history;

THEREFORE BE IT RESOLVED that this Honourable House urge the provincial government immediately to stop its efforts to privatize the people's provincial parks."

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of certain citizens supporting the Royal Canadian Mounted Police Force.

The Member for Signal Hill - Quidi vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to establish a universal comprehensive school lunch program for every school in the Province.

Pursuant to order and on motion the Bill entitled, "An Act To Amend The Tax Agreement Act" (Bill No. 3) was introduced and read a first time and on motion it was ordered that the said Bill be read a second time on tomorrow.

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Pursuant to order and on motion the House resolved itself into a Committee of the Whole on Supply.

The Speaker left the Chair.

Mr. Barrett took the Chair of Committee of Whole on Supply.

The Committee of Supply considered a certain Resolution and Bill No. 2 for the Granting of Interim Supply to Her Majesty.

On motion the Committee rose.

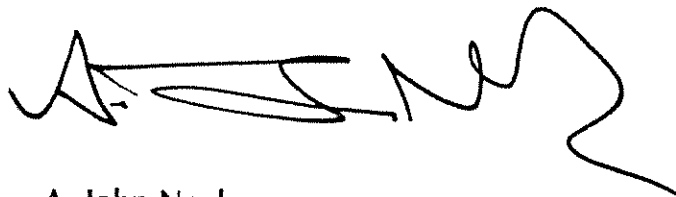
The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of Supply had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, March 18th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long, sweeping flourish extending to the right.

A. John Noel
Clerk of the House of Assembly

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Speaker ruled there was no point of order raised on Friday past. The Speaker ruled that in the context of the remarks made by the Member for Conception Bay South (Mr. French), his remarks did not impute an intentional falsehood.

The Honourable the Minister of Development and Rural Renewal (Ms. Foote) made a statement to announce the creation of the Newfoundland and Labrador Film Development Corporation and the appointment of the Board of Directors of the Corporation.

The Honourable the Minister of Social Services (Ms. Aylward) made a statement respecting Government's commitment to improve the delivery of post adoption services.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) gave notice that he would on tomorrow, "Move That The House Resolve Itself Into a Committee of the Whole on Ways and Means to Consider the Raising of Supply to be Granted to Her Majesty".

The Honourable the Minister of Finance and Treasury Board also gave notice that he would on tomorrow, "Move That The House Resolve Itself into a Committee of the Whole on Supply To Consider Certain Resolutions For The Granting of Supply to Her Majesty".

The Opposition House Leader (Mr. Hodder) announced that the motion standing in the name of the Member for Ferryland (Mr. Sullivan) would be debated on Private Members' Day on Wednesday.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) gave notice that he would on tomorrow introduce the following Resolution:

"WHEREAS poverty and its effects are serious problems for so many in this province and things are getting worse, not better, for poor people. Now more than one-third of Newfoundland and Labrador children live in families on social assistance;

AND WHEREAS child poverty and child hunger are a sad reality which hurts children today and their changes for the future in education and in life. Hungry children cannot learn;

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AND WHEREAS a universal school lunch program would provide a stigma-free way of ensuring every school child a good nutritional meal every day;

AND WHEREAS school reform and other changes in our educational system will result in very significant savings in education costs thereby making funds available to improve the quality of education and quality of students' lives;

BE IT THEREFORE RESOLVED that this House of Assembly direct the government to establish a Universal Comprehensive School Lunch Program for every school in Newfoundland and Labrador to help end child hunger and give our children a better chance to learn and participate fully in the benefits of education."

The Member for Conception Bay South (Mr. French) presented a Petition on behalf of certain citizens requesting the Department of Education to provide a paid adult monitor program on school buses in order to supervise the safety of children.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to establish a universal comprehensive school lunch program for every school in the Province.

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

Pursuant to order and on motion the House resolved itself into a Committee of the Whole on Supply.

The Speaker left the Chair.

Mr. Barrett took the Chair of Committee of the Whole on Supply.

The Committee of Supply considered a certain Resolution and Bill No. 2 for the Granting of Interim Supply to Her Majesty.

On motion the Committee rose.
The Speaker resumed the Chair.

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The Chairperson of the Committee reported that the Committee of Supply had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Wednesday, March 19th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large, sweeping initial 'A' and a long, horizontal stroke that ends in a small flourish.

A. John Noel
Clerk of the House of Assembly

Wednesday, March 19th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Speaker (Mr. Snow) announced the appointment of Mrs. Elizabeth Gallagher, R.N., as the new Sergeant-at-Arms of the House of Assembly.

By leave, the Member for Baie Verte (Mr. Shelley) supported by the Honourable the Minister of Government Services and Lands (Mr. McLean) and the Member for Signal Hill - Quidi Vidi (Mr. Harris) congratulated the Member for Cartwright - L'Anse au Clair (Ms. Jones) who was recently honoured as Labrador's Woman of the Year by the Mokomi Status of Women Council.

The Honourable the Minister of Social Services (Ms. Aylward) made a statement to announce the approval of \$70,000 for the research, development and design of a training program for foster families.

The Member for Humber Valley (Mr. Woodford), as Chairperson of the Select Committee on Property and Casualty Insurance, tabled an Interim Report of that Select Committee respecting rating territories in the Province.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to establish a universal comprehensive school lunch program for every school in the Province.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for Ferryland (Mr. Sullivan):

"WHEREAS poverty and its effects are serious problems for so many in this province and things are getting worse, not better, for poor people. Now more than one-third of Newfoundland and Labrador children live in families on social assistance;

AND WHEREAS child poverty and child hunger are a sad reality which hurts children today and their changes for the future in education and in life. Hungry children cannot learn;

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AND WHEREAS a universal school lunch program would provide a stigma-free way of ensuring every school child a good nutritional meal every day;

AND WHEREAS school reform and other changes in our educational system will result in very significant savings in education costs thereby making funds available to improve the quality of education and quality of students' lives;

BE IT THEREFORE RESOLVED that this House of Assembly direct the government to establish a Universal Comprehensive School Lunch Program for every school in Newfoundland and Labrador to help end child hunger and give our children a better chance to learn and participate fully in the benefits of education."

The Speaker put the question on the Resolution:

The House divided.

There appeared in favour of the Resolution: The Hon. the Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Fitzgerald, Mr. Jack Byrne, Mr. Osborne, Mr. French, Mr. Harris, Ms. Jones.

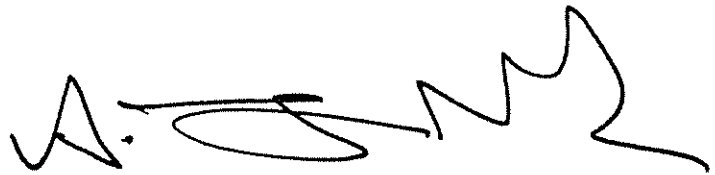
Against: The Hon. the Minister of Forest Resources & Agrifoods (Mr. Tulk), Mr. Walsh, the Hon. the Minister of Mines & Energy (Dr. Gibbons), the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Social Services (Ms. Aylward), Mr. Langdon, the Hon. the Minister of Works, Services & Transportation (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Aylward), the Hon. the Minister of Development & Rural Renewal (Ms. Foote), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Oldford, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Reid, Ms. Thistle, Mr. Sparrow, Mr. Wiseman.

The Speaker declared the Resolution defeated.

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It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, March 20th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read "A. John Noel". The signature is stylized with a large, prominent "A" and "N".

A. John Noel
Clerk of the House of Assembly

Thursday, March 20th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) moved that the House resolve itself into a Committee of the Whole on Ways and Means and that the Speaker leave the Chair. In making the motion the Honourable the Minister of Finance and Treasury Board delivered the Budget Speech.

It was moved by the Honourable the Minister of Finance and Treasury Board that debate on the Budget Speech be adjourned for further debate on tomorrow.

The Speaker put the question on the motion.

The motion was carried.

The Honourable the Minister of Finance and Treasury Board informed the House that he had received a Message from His Honour the Lieutenant-Governor. The Message was read to the House by the Speaker as follows:

"March 19, 1997

The Honourable the Minister of Finance:

I, the Lieutenant-Governor of the Province of Newfoundland, transmit Estimates required for the Public Service of the Province for the year ending March 31, 1998, in the amount of \$2,820,553,900 and, in accordance with the provisions of the **Constitution Act, 1867**, I recommend these Estimates to the House of Assembly.

Sgd. **A. M. House**
Lieutenant-Governor".

The budgetary documents were distributed.

It was moved by the Honourable the Minister of Finance and Treasury Board that the Message together with the Estimates, be referred to a Committee of the Whole on Supply.

The Speaker put the question on the motion.

The motion was carried.

Pursuant to order and on motion the House resolved itself into a Committee of the Whole on Supply.

The Speaker left the Chair.

Mr. Barrett took the Chair of Committee.

On motion the Committee rose.

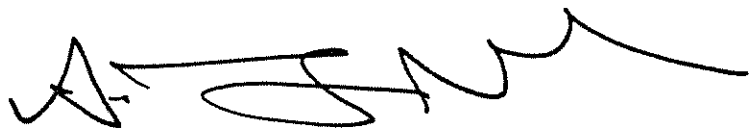
The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the report was received and adopted and it was ordered that the Committee have leave to sit again on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, March 24th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal flourish extending to the right.

A. John Noel
Clerk of the House of Assembly

Monday, March 24th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Social Services (Ms. Aylward) made a statement to announce that the Government of Canada and the Government of the Province had signed a Labour Market Development Agreement. This agreement would provide \$308 million over the next three years for active employment benefits and measures and partnership initiatives with community-based organizations.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) tabled the Report of the Tribunal on Salaries and Benefits of Provincial Court Judges pursuant to section 28 of the **Provincial Court Act, 1991**.

The Honourable the Minister of Environment and Labour (Mr. Aylward) tabled the 1996 Annual Report of the Labour Relations Board.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS section 28 of the **Provincial Court Act, 1991** requires the Lieutenant-Governor in Council to appoint a Tribunal to recommend the salaries and benefits of the judges and chief judge of the Provincial Court of Newfoundland;

AND WHEREAS the Tribunal submitted its report to the Minister of Justice on February 21, 1997;

AND WHEREAS the report has been laid before the House of Assembly today as required by the Act;

AND WHEREAS the Act requires the House to approve or vary the report within thirty days of its being laid before the House;

AND WHEREAS government has decided to ask the House to vary the recommendations of the report;

THEREFORE BE IT RESOLVED that this House vary the **Report on the Salaries and Benefits of Provincial Court Judges** as follows:

1. By deleting recommendation 1 and substituting the following:

March 24th, 1997

"1. The salaries of Provincial Court judges be maintained at their current level pending further consideration by the Minister of Justice and the Chief Judge and the judges of the Provincial Court."

2. By deleting Recommendation 2 and substituting the following:

"2. The differential between the salary of the Chief Judge and the other judges of the Provincial Court be \$5,000 so that the salary of the Chief Judge will be at all times \$5,000 higher than the salaries of the other judges of the court."."

The Member for LaPoile (Mr. Ramsay) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS workers in the Province of Newfoundland and Labrador living near the Quebec/Labrador boundary have sought equal employment opportunities for many years;

AND WHEREAS there are restrictions which in the Province of Quebec apply to the hiring of construction trades people from other provinces;

AND WHEREAS Quebec and Ontario have recently come to an agreement on labour mobility between their residents;

THEREFORE BE IT RESOLVED that the Government of Newfoundland and Labrador initiate discussions with Quebec to achieve a similar labour mobility agreement."

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize Provincial Parks.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

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The Member for Waterford Valley presented a Petition on behalf of certain citizens requesting Government to install a universal comprehensive school lunch program for every school in the Province.

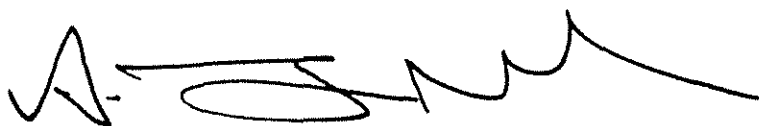
The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize Provincial Parks.

Pursuant to order and on motion debate commenced on the Budget Speech and on motion debate was adjourned for further debate on tomorrow.

The Honourable the Government House Leader announced that the motion standing in the name of the Member for LaPoile would be debated on Private Members' Day on Wednesday.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long horizontal stroke.

A. John Noel
Clerk of the House of Assembly

Tuesday, March 25th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

By leave, the Honourable the Government House Leader (Mr. Tulk) sought the agreement of the House to treat Thursday as Friday under the Standing Orders. The Member for Waterford Valley (Mr. Hodder) and the Member for Signal Hill - Quidi Vidi (Mr. Harris) spoke in agreement.

The Speaker confirmed the agreement of all Members of the House and declared that the House would sit at 9 o'clock in the morning on Thursday, March 27th.

By leave, the Honourable the Government House Leader sought the agreement of the House to change the mover of the Private Member's motion introduced yesterday by the Member for LaPooile. The Member for Waterford Valley and the Member for Signal Hill - Quidi Vidi spoke in agreement. The Speaker confirmed the agreement that the Member for Topsail (Mr. Wiseman) would introduce the motion in place of the Member for LaPoile (Mr. Ramsay).

By leave, the Member for Fortune Bay - Cape La Hune (Mr. Langdon) congratulated the Sunny Cottage Corporation of Harbour Breton on receiving the 1996 Manning Award for Excellence in the Public Presentation of Historic Places. The Members for Waterford Valley and Signal Hill - Quidi Vidi spoke in agreement.

The Honourable the Minister of Health (Mr. Matthews) made a statement respecting an incentive package for the recruitment and retention of rural doctors.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks), on behalf of the Minister of Justice and Attorney General (Mr. Decker), made a statement to announce that Conduct Certificates will be provided free of charge.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize Provincial Parks.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

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The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize Provincial Parks.

The Member for Kilbride (Mr. Ed Byrne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize Provincial Parks.

Pursuant to order and on motion debate continued on the Budget Speech and on motion debate was adjourned for further debate on tomorrow.

Pursuant to order and on motion the House resolved itself into a Committee of the Whole on Supply.

The Speaker left the Chair.

Mr. Penney took the Chair of Committee.

The Committee of Supply considered a certain Resolution and Bill No. 2 for the Granting of Interim Supply to Her Majesty.

On motion the Committee rose.

The Speaker resumed the Chair.

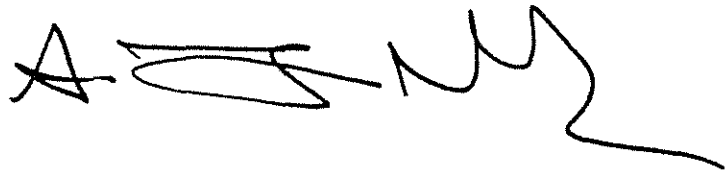
The Chairperson of the Committee reported that the Committee had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

March 25th, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Wednesday, March 26th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long, sweeping underline.

A. John Noel
Clerk of the House of Assembly

Wednesday, March 26th, 1997

The House met at 2 o'clock pursuant to adjournment.

By leave, the Member for Torngat Mountains (Mr. Andersen) congratulated Mrs. Ruth Flowers of Makkovik on being selected by Mobil, Chevron and Murphy Oil to christen two vessels being built in South Korea; vessels that will be used to bring oil ashore from the Hibernia site.

By leave, the Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) supported by the Member for Waterford Valley (Mr. Hodder) and the Member for Signal Hill - Quidi Vidi, moved that a letter of condolence be sent by the Speaker on behalf of all Members to the Member for Grand Falls - Buchans (Ms. Thistle) on the death of her mother, Mrs. Ina Penney.

The Honourable the Minister of Government Services and Lands (Mr. McLean) made a statement to announce the establishment of a new Government Service Centre in Labrador City.

The Honourable the Minister of Social Services (Ms. Aylward) rose on a Point of Privilege respecting certain comments made by the Member for Waterford Valley (Mr. Hodder) that certain information was released by her Department's officials. The Speaker took the matter under advisement.

The Honourable the Minister of Works, Services and Transportation (Ms. Bettney) tabled Reports of **Public Tender Act** Exceptions for the months of November, and December, 1996 and January and February, 1997.

In reply to a question for which notice had been given, the Honourable the Minister of Environment and Labour (Mr. Aylward) gave an answer respecting fees for municipal water and wastewater systems.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

Pursuant to order and on motion debate commenced and concluded on the following motion standing in the name of the Member for Topsail (Mr. Wiseman):

"**WHEREAS** workers in the Province of Newfoundland and Labrador living near the Quebec/Labrador boundary have sought equal employment opportunities for many years;

March 26th, 1997

AND WHEREAS there are restrictions which in the Province of Quebec apply to the hiring of construction trades people from other province;

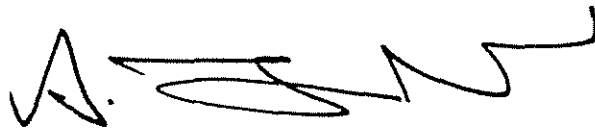
AND WHEREAS Quebec and Ontario have recently come to an agreement on labour mobility between their residents;

THEREFORE BE IT RESOLVED that the Government of Newfoundland and Labrador initiate discussions with Quebec to achieve a similar labour mobility agreement."

The Speaker put the question on the Resolution and declared the Resolution carried unanimously.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday at 9 o'clock in the morning.

On motion the House then adjourned at 3:10 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long, sweeping horizontal line that ends in a small hook.

A. John Noel
Clerk of the House of Assembly

Thursday, March 27th, 1997

The House met at 9 o'clock in the morning pursuant to adjournment.

The Honourable the Minister of Education (Mr. Grimes) made a statement to clarify matters surrounding the controversy respecting the school designation process in District #5 in Central Newfoundland.

The Honourable the Minister of Government Services and Lands (Mr. McLean), on behalf of the Honourable the Minister of Finance and Treasury Board (Mr. Dicks), made a statement respecting a rebate of the provincial portion of the HST (Harmonized Sales Tax) paid on building materials purchased for the construction, repair or improvement of residences in Labrador.

The Honourable the Minister of Development and Rural Renewal (Ms. Foote) made a statement respecting the future operation of the five Telecentres in the Province.

The Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) made a statement to convey best wishes to organizers, judges and participants of the 1997 Newfoundland and Labrador Drama Festival, which runs from March 31st to April 3rd at the Arts and Culture Centre in St. John's.

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain citizens respecting the privatization of provincial parks in the Province.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

Pursuant to order and on motion the House resolved itself into Committee of the Whole on Supply.

The Speaker left the Chair.

Mr. Barrett took the Chair of Committee of the Whole on Supply.

The Committee considered and passed a certain Resolution and a Bill entitled, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 1998 And For Other Purposes Relating To The Public Services" (Bill No. 2).

March 27th, 1997

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of Supply had considered the matters to it referred and passed a certain Resolution and a Bill consequent thereto and recommended that Bill No. 2 be introduced to give effect to same.

Pursuant to order and on motion the following Resolution was read a first and second time:

"That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain expenses of the public service for the financial year ending March 31, 1998, the sum of \$1,019,465,700."

Pursuant to order and on motion a Bill entitled, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 1998 And For Other Purposes Relating To The Public Services" (Bill No. 2) was read a first, second and third time and passed.

On motion it was ordered that Bill No. 2 be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

The House recessed briefly, after which the Sergeant-at-Arms announced the arrival of His Honour the Lieutenant-Governor.

His Honour the Lieutenant-Governor the Honourable A.M. House took the Chair.

The Speaker addressed His Honour as follows:

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

March 27th, 1997

Whereupon the Clerk read the following Bill:

A Bill "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 1998 And For Other Purposes Relating To The Public Service" (Bill No. 2).

His Honour the Lieutenant-Governor then said, "In Her Majesty's Name, I thank Her Loyal Subjects, I accept their benevolence, and I assent to this Bill".

His Honour the Lieutenant-Governor then left the Chamber.

The Honourable the Government House Leader (Mr. Tulk), the Leader of the Opposition (Mr. Sullivan) and the Member for Signal Hill - Quidi Vidi (Mr. Harris) paid tribute to Mrs. Anita Hall, Hansard Transcriber, Ms. Norma Jean Richards, Legislative Librarian and Mr. Cyril Kirby, the Sergeant-at-Arms, upon their impending retirement from the House of Assembly service.

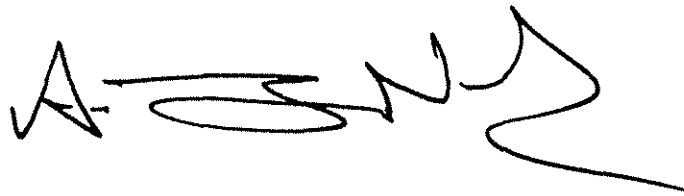
The above Members made passing reference to the fact that the Honourable the Minister of Mines and Energy (Dr. Gibbons) may not be in attendance in the House when it resumes sitting because of other political commitments.

The Honourable the Government House Leader (Mr. Tulk) moved "That when this House adjourns today, it will stand adjourned until Tuesday, April 22nd, 1997 at 2 o'clock provided always that if it appears to the satisfaction of the Speaker, or in the case of his absence from the Province, the Chairperson of Committees, after consultation with Her Majesty's Government that the House should meet at another date, the Speaker or in his absence, the Chairperson of Committees may give notice that he is so satisfied and thereupon the House shall meet at the time and date stated by such notice and shall transact its business as if it had been duly adjourned to that time. And it is moved that the House do now adjourn."

March 27th, 1997

The Speaker put the question on the above noted motions and declared the motions carried.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long horizontal stroke.

A. John Noel
Clerk of the House of Assembly

Tuesday, April 22nd, 1997

The House met at 2 o'clock in the afternoon pursuant to the adjournment motion adopted by the House on March 27th, 1997.

The Honourable the Speaker ruled on a Point of Privilege raised by the Honourable the Minister of Human Resources and Employment (Ms. Aylward) on March 26th. The Speaker ruled there was no **prima facie** case of privilege.

The Honourable the Premier (Mr. Tobin) made a statement to announce that Mobil Oil Canada, Chevron Canada Resources, Petro-Canada and Norsk-Hydro Canada Oil and Gas will drill a delineation well in the Hebron area of the Grand Banks during 1997.

The Honourable the Minister of Municipal and Provincial Affairs and Minister Responsible for Housing (Mr. Reid) made a statement to announce that the Governments of Canada and the Province had signed a Social Housing Agreement.

The Honourable the Government House Leader (Mr. Tulk) gave notice and moved:

(a) that the following Heads of Expenditure be referred to the Government Services Committee:

Finance
Works, Services and Transportation
Government Services and Lands
Municipal & Provincial Affairs
Newfoundland and Labrador Housing Corporation
Public Service Commission;

(b) that the following Heads of Expenditure be referred to the Social Services Committee:

Human Resources and Employment
Education
Health
Environment and Labour
Justice; and

April 22, 1997

(c) that the following Heads of Expenditure be referred to the Resource Committee:

Fisheries and Aquaculture
Forest Resources and Agrifoods
Tourism, Culture and Recreation
Industry, Trade and Technology
Mines and Energy
Development and Rural Renewal".

By leave, the Speaker put the question on the motion and declared the motion carried.

The Opposition House Leader (Mr. Hodder) announced that the motion standing in the name of the Member for St. John's South (Mr. Osborne) would be debated on Private Members' Day on Wednesday.

The Member for Baie Verte (Mr. Shelley) presented a Petition on behalf of residents of his District, namely Woodstock and Pacquet, requesting that Government upgrade and pave the roads because of the deplorable and unfit conditions of those roads in the District.

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of residents of his District and the District of Trinity North requesting the Department of Works, Services & Transportation to give serious consideration to the elimination of the existing road mixture in connection with ice control because of the damage to vehicles on the Bonavista Highway.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

By leave the House reverted to Presenting Reports and the Honourable the Minister of Finance and Treasury Board (Mr. Dicks) tabled the following:

- (a) a Special Warrant, as authorized by Order-in-Council 97-157 under Section 28(2) of the **Financial Administration Act**, for \$10,000,000 to be expended under the Consolidated Fund Head of Expenditure;

April 22nd, 1997

- (b) a Special Warrant, as authorized by Order-in-Council 97-161 under Section 28(2) of the **Financial Administration Act**, for \$12,000,000 to be expended under the Finance Head of Expenditure;
- (c) a Special Warrant, as authorized by Order-in-Council 97-158 under Section 28(2) of the **Financial Administration Act**, for \$10,000,000 to be expended under the Development & Rural Renewal Head of Expenditure;
- (d) a Special Warrant, as authorized by Order-in-Council 97-155 under Section 28(2) of the **Financial Administration Act**, for \$32,800,000 to be expended under the Education Head of Expenditure;
- (e) a Special Warrant, as authorized by Order-in-Council 97-156 under Section 28(2) of the **Financial Administration Act**, for \$3,500,000 to be expended under the Health Head of Expenditure;
- (f) a Special Warrant, as authorized by Order-in-Council 97-160 under Section 28(2) of the **Financial Administration Act**, for \$4,000,000 to be expended under the Municipal and Provincial Affairs Head of Expenditure; and
- (g) a Special Warrant, as authorized by Order-in-Council 97-159 under Section 28(2) of the **Financial Administration Act**, for \$3,400,000 to be expended under the Newfoundland and Labrador Housing Corporation Head of Expenditure.

The Honourable the Minister of Finance and Treasury Board, in accordance with section 26(4) of the **Financial Administration Act**, also tabled the following:

- (a) a copy of Minute of Council 97-152 which relates to certain pre-commitments for \$40.9 million to be expended under the Works, Services and Transportation Head of Expenditure;
- (b) a copy of Minute of Council 97-112 which relates to certain pre-commitments for \$25,000 in the 1997-98 fiscal year, \$50,000 in the 1998-99 fiscal year and \$250,000 in the 1999-2000 fiscal year to be expended under the Education Head of Expenditure; and

April 22nd, 1997

- (c) a copy of Minute of Council 96-999 which relates to certain pre-commitments for \$1,150,000 to be expended under the Works, Services and Transportation Head of Expenditure.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain residents requesting the Government to reverse the decision to privatize provincial parks.

Pursuant to order and on motion debate commenced on Motion No. 3 being the following Resolution standing in the name of the Honourable the Minister of Justice and Attorney General (Mr. Decker):

"WHEREAS section 28 of the **Provincial Court Act 1991** requires the Lieutenant-Governor in Council to appoint a Tribunal to recommend the salaries and benefits of the judges and chief judge of the provincial Court of Newfoundland;

AND WHEREAS the Tribunal submitted its report to the Minister of Justice on February 21, 1997;

AND WHEREAS the report has been laid before the House of Assembly today as required by the Act;

AND WHEREAS the Act requires the House to approve or vary the report within thirty days of its being laid before the House;

AND WHEREAS government has decided to ask the House to vary the recommendations of the report;

THEREFORE BE IT RESOLVED that this House vary the Report on the Salaries and Benefits of Provincial Court Judges as follows:

1. By deleting recommendation 1 and substituting the following:
 - "1. The salaries of Provincial Court judges be maintained at their current level pending further consideration by the Minister of Justice and the Chief Judge and the judges of the Provincial Court."

April 22nd, 1997

2. By deleting Recommendation 2 and substituting the following:
 - "2. The differential between the salary of the Chief Judge and the other judges of the Provincial Court be \$5,000 so that the salary of the Chief Judge will be at all times \$5,000 higher than the salaries of the other judges of the court."

After some debate, the Honourable the Minister of Justice and Attorney General moved, seconded by the Honourable the Government House Leader the following amendment to the Resolution:

- "1. The Resolution is amended by adding immediately after Item 2 the following:
 - "3. By deleting Recommendation 4(b)."

Following the debate, the Speaker put the question on the amendment to the Resolution.

The Speaker declared the amendment to the Resolution carried.

The Speaker put the question on the Resolution as amended.

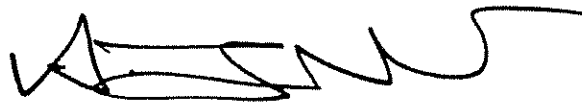
The Speaker declared the Resolution, as amended, carried.

Pursuant to order and on motion debate continued on the Budget Speech and on motion debate was adjourned for further debate on tomorrow.

April 22nd, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Wednesday, April 23rd at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read "A. John Noel". The signature is stylized with a large initial "A" and a long, sweeping horizontal line that ends in a small hook.

A. John Noel
Clerk of the House of Assembly

Wednesday, April 23rd. 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Human Resources and Employment (Ms. Aylward) made a statement to announce the criteria for the Provincial Student Services Employment Programs as funded by the Governments of the Province and Canada.

The Honourable the Premier (Mr. Tobin) made a statement respecting 1997 northern shrimp fishery quota.

The Honourable the Minister of Justice and Attorney General (Mr. Decker), in accordance with section 39 of the **Royal Newfoundland Constabulary Act, 1992**, tabled the Annual Report of the Office of the RNC Public Complaints Commission for the fiscal year April 1, 1995 to March 31, 1996.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks), in accordance with section 49(2) of the **Financial Administration Act**, tabled a list of Temporary Loans raised under section 48 of that Act.

The Honourable the Minister of Finance and Treasury Board, in accordance with section 55(3) of the **Financial Administration Act**, also tabled a list of the Guaranteed Loans paid by the Province for the period May 10, 1996 to April 22, 1997.

The Member for Harbour Main-Whitbourne (Mr. Whelan) presented a Petition on behalf of certain residents of his District requesting Government to review the decision of the Avalon West School Board with respect to the closure of the Bishop O'Neil Collegiate in Brigus.

The House agreed to stop the clock for the purpose of allowing a response to the Petition of the Member for Harbour Main - Whitbourne and a consequential extension of the daily sitting time after 5 o'clock, if necessary.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for St. John's South (Mr. Osborne):

"WHEREAS the people of the Province own the provincial parks the government is now trying to privatize;

April 23rd, 1997

AND WHEREAS the people of the Province who own these parks were never consulted by the government about its decision to privatize their parks;

AND WHEREAS the people of the Province are expressing loudly and clearly that they do not want their provincial parks privatized;

AND WHEREAS the government are expressing loudly and clearly that they do not want their provincial parks privatized;

AND WHEREAS the government's rash, last-minute decision to privatize the people's parks without their prior knowledge or consent is fostering chaos and confusion which puts at risk the Cabot Celebrations and the most important tourism year in our history;

THEREFORE BE IT RESOLVED that this Honourable House urge the provincial government immediately to stop its efforts to privatize the people's provincial parks."

The Speaker put the question on the Resolution:

The House divided.

There appeared in favour of the Resolution: Mr. Hodder, Mr. Shelley, Mr. Fitzgerald, Mr. Osborne, Mr. Ottenheimer, Mr. Harris.

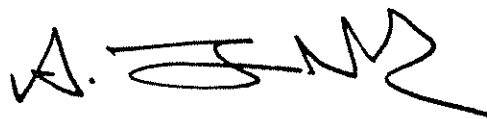
Against: The Hon. the Minister of Forest Resources & Agrifoods (Mr. Tulk), the Hon. the Minister of Industry, Trade & Technology (Mr. Furey), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Walsh, the Hon. the Minister of Finance & Treasury Board (Mr. Dicks), Dr. Gibbons, Mr. Lush, Mr. Penney, Mr. Langdon, the Hon. the Minister of Works, Services & Transportation (Ms. Bettney), the Hon. the Minister of Development & Rural Renewal (Ms. Foote), the Hon. the Minister of Tourism & Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Oldford, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Wiseman.

The Speaker declared the Resolution defeated.

April 23rd, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, April 24th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large 'A' and a long, sweeping underline.

A. John Noel
Clerk of the House of Assembly

Thursday, April 24th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) made a statement respecting the healthy employment gains in the Provincial economy during the first quarter of 1997.

The Member for Baie Verte (Mr. Shelley) presented a Petition on behalf of residents of his District, namely Middle Arm, Burlington and Smith's Harbour, requesting Government to upgrade and pave the roads because of the deplorable and unfit conditions of those roads in the District.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.


The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

Pursuant to order and on motion debate continued on the Budget Speech and on motion debate was adjourned for further debate on tomorrow.

At 4:30 o'clock pursuant to Standing Order 31, certain questions raised by Members were debated, following which pursuant to Standing Order 31, the Speaker put the question that the House do now adjourn.

The motion was carried.

The Speaker left until tomorrow, Friday, April 25th at 9 o'clock in the morning.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a stylized flourish at the end.

A. John Noel
Clerk of the House of Assembly

Friday, April 25th, 1997

The House met at 9 o'clock in the morning pursuant to adjournment.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) made a statement to announce the 1997-98 Municipal Capital Works Program.

The Member for Signal Hill - Quid Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

The Member for Grand Falls - Buchans (Ms. Thistle) presented a Petition on behalf of certain citizens of Badger opposing the changes to the school system in their community.

Pursuant to order and on motion debate continued on the Budget Speech.

The Member for Baie Verte (Mr. Shelley) moved, seconded by the Member for St. John's East (Mr. Ottenheimer) that all the words after the word "that" be struck and replaced with the following:

"this House condemns the government for its failure to accurately represent the true state of the economy of the Province and the government's consequential failure to take appropriate budgetary action to deal with the real problems".

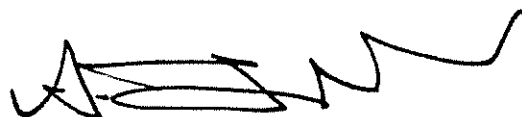
The Speaker (Mr. Penney) ruled the amendment in order.

Pursuant to order and on motion debate commenced on the amendment to the budget motion (being a non-confidence motion). Debate continued on the amendment to the budget motion and on motion debate was adjourned for further debate on tomorrow.

April 25th, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday April 28th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read "A. John Noel". The signature is stylized with a large initial "A" and a long, sweeping flourish at the end.

A. John Noel
Clerk of the House of Assembly

Monday, April 28th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made a statement to announce that a new tannery owned by Italian interests will be established on the Baie Verte Peninsula.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) made a statement to announce that the Federal Government had increased its cash flow under the Canadian Health and Social Transfer (CHST) from \$11 billion to \$12.50 billion which will result in an extra \$66 million for the Province during the 1998-2000-2001 fiscal years.

The Honourable the Minister of Health (Mr. Matthews) made a statement that he would announce details of the Health Care Forum this week. The Minister further stated that the announcement today that the Federal Government will increase the cash flow under the Canadian Health and Social Transfer to the Province would greatly strengthen the role of the Forum.

The Honourable the Minister of Environment and Labour (Mr. Aylward) made a statement to observe April 28th as the National Day of Mourning in order to remember workers killed or injured in the workplace or afflicted with industrial disease.

The Member for Cape St. Francis (Mr. J. Byrne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

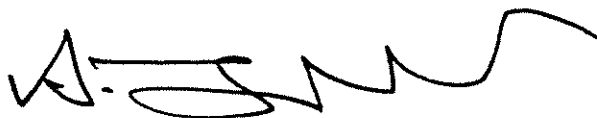
The Member for Baie Verte (Mr. Shelley) presented a Petition on behalf of residents of Shoe Cove in his District requesting the Government to upgrade and pave the roads because of the deplorable and unfit conditions of those roads in the District.

Pursuant to order and on motion debate continued on the amendment to the Budget motion and on motion debate was adjourned for further debate on tomorrow.

April 28th, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, April 29th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long horizontal stroke.

A. John Noel
Clerk of the House of Assembly

Tuesday, April 29th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Member for Port au Port (Mr. Smith) gave notice that he would on tomorrow introduce the following Resolution:

"WHEREAS the Government of Newfoundland and Labrador in these challenging times, is making significant efforts to achieve economic renewal and diversification in rural areas of the Province;

AND WHEREAS various Government initiatives in partnership with communities throughout the Province have realized the creation of significant business developments in the Province;

AND WHEREAS some of these initiatives such as Piccadilly Plastics Limited in Piccadilly, Steelcor Industries Ltd. in Buchans, Superior Glove Works in Point Leamington and The Tannery announced this week for Baie Verte are evidence of Government's continuing support and encouragement for diverse economic development activity throughout the Province;

THEREFORE BE IT RESOLVED THAT the House of Assembly support the Government in its continuing efforts to identify new opportunities and in furtherance of its ongoing policy of forming partnerships with communities and the private sector in the process of economic diversification."

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

April 29th, 1997

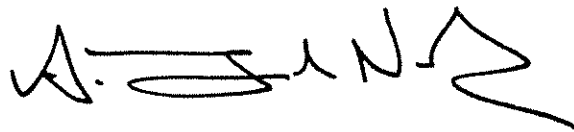
Pursuant to order and on motion debate continued on the amendment to the Budget motion and on motion debate was adjourned for further debate on tomorrow.

By leave the House reverted to Presenting Reports and the Honourable the Minister of Forest Resources and Agrifoods (Mr. Tulk) tabled the Annual Report and audited financial statements of the Newfoundland Farm Products Corporation for the fiscal year ended March 30, 1996.

The Honourable the Government House Leader (Mr. Tulk) announced that the motion standing in the name of the Member for Port au Port (Mr. Smith) would be debated on Private Members' Day on Wednesday.

It was moved and seconded that when the House rose it would until tomorrow, Wednesday, April 30th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a stylized flourish at the end.

A. John Noel
Clerk of the House of Assembly

Wednesday, April 30th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Forest Resources and Agrifoods (Mr. Tulk) made a statement respecting the negotiations that are currently underway to privatize the Newfoundland Farm Products Corporation.

The Honourable the Minister of Works, Services and Transportation and Minister Responsible for the Status of Women (Ms. Bettney) tabled:

- (a) the Annual Report of the Provincial Advisory Council on the Status of Women, Newfoundland and Labrador and audited financial statements for the fiscal year ended March 31, 1996; and
- (b) the Annual Report of the C.A. Pippy Park Commission and audited financial statements for the fiscal year ended March 31, 1996.

By leave, the Member for St. John's West (Dr. Gibbons) made a statement to announce his resignation as the Member for St. John's West.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for Port au Port (Mr. Smith):

"WHEREAS the Government of Newfoundland and Labrador in these challenging times, is making significant efforts to achieve economic renewal and diversification in rural areas of the Province;

AND WHEREAS various Government initiatives in partnership with communities throughout the Province have realized the creation of significant business developments in the Province;

AND WHEREAS some of these initiatives such as Piccadilly Plastics Limited in Piccadilly, Steelcor Industries Ltd. in Buchans, Superior Glove Works in Point Leamington and The Tannery announced this week for Baie Verte are evidence of Government's continuing support and encouragement for diverse economic development activity throughout the Province;

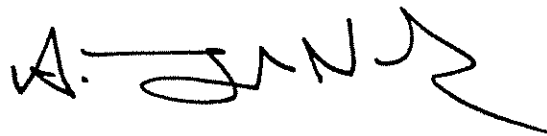
April 30th, 1997

THEREFORE BE IT RESOLVED THAT the House of Assembly support the Government in its continuing efforts to identify new opportunities and in furtherance of its ongoing policy of forming partnerships with communities and the private sector in the process of economic diversification."

The Speaker put the question on the Resolution and declared the Resolution carried.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a stylized flourish extending to the right.

A. John Noel
Clerk of the House of Assembly

Thursday, May 1st, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

By leave, the Honourable the Minister of Justice and Attorney General (Mr. Decker) introduced the following Resolution:

"WHEREAS the people of Manitoba who live in the Red River Valley are facing a monumental challenge brought on by natural causes;

AND WHEREAS all Canadians share in the struggle of the people of Manitoba and of the Premier and Government, the Mayors and Municipal Councils, relief organizations, water control management authorities, and all other emergency teams to minimize the life-threatening challenges and the property damages thrust upon them by the unusually high levels of the spring runoff in the flood ravaged areas of Southern Manitoba.

THEREFORE BE IT RESOLVED THAT the House of Assembly of Newfoundland and Labrador express our concern and, as members of the Canadian family, want them to know of our prayers, thoughts and best wishes as they struggle to control the harsh realities that Nature has unleashed."

The Member for Waterford Valley (Mr. Hodder) and the Member for Signal Hill - Quidi Vidi (Mr. Harris) spoke in agreement to the Resolution.

The Speaker put the question on the Resolution and declared the Resolution carried unanimously.

The Honourable Minister of Industry, Trade and Technology (Mr. Furey) made a statement to announce that the Honourable the Premier and a delegation of companies were presently on a trade mission to Aberdeen, Scotland. The Minister also announced that as a result of a Memorandum of Understanding signed in 1995, three joint ventures between companies in this Province and Scotland had been signed.

The Honourable the Minister of Health (Mr. Matthews) made a statement to announce details of the upcoming Provincial Health Care Forum.

The Honourable the Minister of Fisheries and Agrifoods (Mr. Efford) made a statement to announce that Newfoundland and Labrador will be hosting a major international conference on Sealing in November of this year.

May 1st, 1997

The Honourable the Minister of Industry, Trade and Technology (Mr. Furey) as Acting Minister of Mines and Energy, tabled the 1996 Annual Report and Consolidated Financial Statements of Newfoundland and Labrador Hydro.

The Honourable the Minister of Government Services and Lands (Mr. McLean) tabled the Annual Report of the Board of Commissioners of Public Utilities on the Operations Carried out under the **Automobile Insurance Act** for the period April 1, 1996 to March 31, 1997.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Judgment Enforcement Act" (Bill No. 8)

A Bill "An Act To Remove Anomalies And Errors In The Statute Law" (Bill No. 9).

The Honourable the Minister of Development and Rural Renewal (Ms. Foote) on behalf of the Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly), gave notice that she would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Wilderness and Ecological Reserves Act" (Bill No. 10).

The Member for Cartwright - L'Anse au Clair (Ms. Jones) gave notice that she would on tomorrow introduce the following Resolution:

"WHEREAS low income families, particularly people on social assistance, find it impossible to provide themselves with an adequate diet;

AND WHEREAS food prices in Labrador are between 40% and 165% higher than those in the St. John's area;

AND WHEREAS there is a lack of competition and fewer "specials" in many communities in coastal Labrador (there are no food banks to fall back on);

AND WHEREAS social assistance recipients in coastal Labrador are also burdened with a higher general cost of living than elsewhere in the province;

May 1st, 1997

AND WHEREAS a nutritious diet is essential to comfort, good health and children's abilities to learn. If children are not properly fed now, society will pay in future in terms of added health care costs and unemployment;

BE IT THEREFORE RESOLVED that this House of Assembly direct the government to establish a food adjustment allowance for social assistance recipients in Labrador."

The Member for Baie Verte (Mr. Shelley) presented a Petition on behalf of certain citizens of Jackson's Cove, Silverdale, Nick's Nose and Langdon's Cove in his District requesting the Government of the Province not to force any area into regional government especially local service districts.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

In reply to a question for which notice had been given, the Honourable the Minister of Development and Rural Renewal (Ms. Foote) on behalf of the Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) tabled an answer to a question respecting the list of those included in the provincial delegation who will be attending the departure of the Matthew in Bristol, England.

Pursuant to order and on motion debate continued on the amendment to the Budget motion and on motion debate was adjourned for further debate on tomorrow.

At 4:30 o'clock pursuant to Standing Order 31, certain questions raised by Members were debated, following which pursuant to Standing Order 31, the Speaker put the question that the House do now adjourn.

May 1st, 1997

The motion was carried.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, May 5th at 2 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel', written over a horizontal line.

A. John Noel
Clerk of the House of Assembly

Monday, May 5th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Member for Topsail (Mr. Wiseman), as Chairperson of the Government Services Committee, reported that the Committee had considered the matters to it referred and had passed, without amendment, the following Heads of Expenditure:

Finance
Government Services and Lands
Works, Services and Transportation
Municipal and Provincial Affairs
Public Service Commission
Newfoundland and Labrador Housing Corporation.

On motion the Report was received and on motion debate on the Report was deferred until tomorrow.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks in the Province.

The Member for Cape St. Francis (Mr. J. Byrne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks in the Province.

The Member for Baie Verte (Mr. Shelley) presented a Petition on behalf of certain citizens from the Jacques Cove to Silverdale area in his District requesting the Government of the Province not to force any area into regional government especially local service districts.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks in the Province.

The Member for Cape St. Francis (Mr. J. Byrne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks in the Province.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks in the Province.

May 5th, 1997

The Member for St. John's South (Mr. Osborne) presented a Petition on certain citizens requesting the Government to reverse the decision to privatize provincial parks in the Province.

Pursuant to order and on motion the following Bills were introduced and read a first time:

- A Bill "An Act To Amend The Judgment Enforcement Act" (Bill No. 8)
- A Bill "An Act To Remove Anomalies And Errors In the Statute Law" (Bill No. 9)
- A Bill "An Act To Amend The Wilderness And Ecological Reserves Act" (Bill No. 10).

On motion it was ordered that the said Bills be read a second time on tomorrow.

Pursuant to order and on motion debate continued and concluded on the amendment to the Budget motion (the non confidence motion).

The Speaker put the question on the amendment.

The House divided.

There appeared in favour of the motion: The Hon. the Leader of the Opposition (Mr. Sullivan), Mr. Shelley, Mr. E. Byrne, Mr. Fitzgerald, Mr. J. Byrne, Mr. Osborne, Mr. Ottenheimer, Mr. French.

Against: The Hon. the Minister of Forest Resources & Agrifoods (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Flight, Mr. Walsh, Mr. Lush, Mr. Langdon, the Hon. the Minister of Development & Rural Renewal (Ms. Foote), the Hon. the Minister of Health (Mr. Matthews), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Oldford, Mr. Canning, Mr. Smith, Mr. Ramsay, Ms. Hodder, Mr. Woodford, Mr. Reid, Ms. Thistle, Mr. Sparrow, Mr. Wiseman.

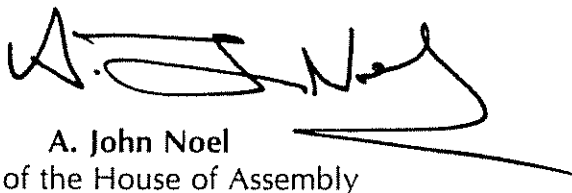
The Speaker declared the motion defeated.

Debate continued on the Budget Speech and on motion debate was adjourned for further debate on tomorrow.

May 5th, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, May 6th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly

A handwritten signature in black ink, appearing to read "A. John Noel". The signature is stylized with a large, sweeping flourish at the end that extends to the right and slightly downwards.

A. John Noel
Clerk of the House of Assembly

Tuesday, May 6th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Environment and Labour (Mr. Aylward) made a statement concerning the status of the Green Back - Trash to Cash Program" for beverage containers.

The Honourable the Minister of Health (Mr. Matthews) made a statement concerning the details surrounding the budgetary allocation for salaried physicians in rural areas of the Province.

The Member for Waterford Valley (Mr. Hodder) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS the Provincial Government, in its 1997 Budget, announced "that effective this September, students with dependents will be required to access the maximum available student loan. Social assistance will only be available as a supplement where living requirements exceed the living allowance provided under student aid";

AND WHEREAS this and other initiatives increase the end costs to the student of pursuing a post-secondary education and serve as impediments that deter student parents from realizing their potential for employment, productivity and personal fulfilment;

AND WHEREAS government should be encouraging and assisting student parents, most of whom are women, to pursue post-secondary educational opportunities;

THEREFORE BE IT RESOLVED THAT this Honourable House urge the provincial government to restore its post-secondary funding arrangements for students with dependents to those that were in place immediately prior to the 1997 Budget;

AND BE IT FURTHER RESOLVED THAT this Honourable House urge the provincial government to undertake greater efforts to make post-secondary education more accessible to all Newfoundlanders and Labradorians."

May 6th, 1997

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

Pursuant to order and on motion debate commenced on the Concurrence Motion with respect to the Report of the Government Services Estimates Committee.

The Honourable the Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon.

The Speaker put the question on the motion and declared the motion carried.

Debate continued on the Concurrence Motion.

The Opposition House Leader (Mr. Hodder) directed the Speaker's attention to the fact that there was no quorum present. After 3 minutes, the Clerk indicated to the Speaker that there was a quorum present.

Debate continued and concluded on the Concurrence Motion with respect to the Report of the Government Services Estimates.

The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion the House resolved itself into a Committee of Supply.

The Speaker left the Chair.

Mr. Walsh (Acting Chairperson) took the Chair of Committee.

The Committee of Supply considered and passed the **Legislature** Head of Expenditure.

The Committee of Supply agreed to call it 8 o'clock in the evening. The Chair put the matter to Members and there was agreement.

On motion the Committee rose.

The Speaker resumed the Chair.

May 6th, 1997

The Chairperson of the Committee of Supply (Acting) reported that the Committee had considered the matters to it referred, had passed the Head of Expenditure of the **Legislature**, without amendment, and asked leave to sit again.

On motion the report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

The Honourable the Government House Leader announced that the motion standing in the name of the Member for Waterford Valley (Mr. Hodder) would be debated on Private Members' Day on Wednesday.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Wednesday, May 7th at 2 o'clock in the afternoon.

On motion the House then adjourned at 8 o'clock in the evening.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a stylized, wavy flourish extending to the right.

A. John Noel
Clerk of the House of Assembly

Wednesday, May 7th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Education (Mr. Grimes) made a statement to clarify matters respecting teacher layoffs under the Teacher's Collective Agreement.

The Member for Humber East (Mr. Mercer) presented a Petition on behalf of certain citizens of the District of Trinity - Bay de Verde requesting the Minister of Education to review the decision of the Avalon West School Board with respect to the quality of education in the District.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for Waterford Valley (Mr. Hodder):

"WHEREAS the provincial government, in its 1997 Budget, announced "that effective this September, students with dependents will be required to access the maximum available student loan. Social assistance will only be available as a supplement where living requirements exceed the living allowance provided under student aid";

AND WHEREAS this and other initiatives increase the end costs to the student of pursuing a post-secondary education and serve as impediments that deter student parents from realizing their potential for employment, productivity and personal fulfilment;

AND WHEREAS government should be encouraging and assisting student parents, most of whom are women, to pursue post-secondary educational opportunities;

THEREFORE BE IT RESOLVED THAT this Honourable House urge the provincial government to restore its post-secondary funding arrangements for students with dependents to those that were in place immediately prior to the 1997 Budget;

May 7th, 1997

AND BE IT FURTHER RESOLVED THAT this Honourable House urge the provincial government to undertake greater efforts to make post-secondary education more accessible to all Newfoundlanders and Labradorians."

The Speaker put the question on the Resolution.

The House divided.

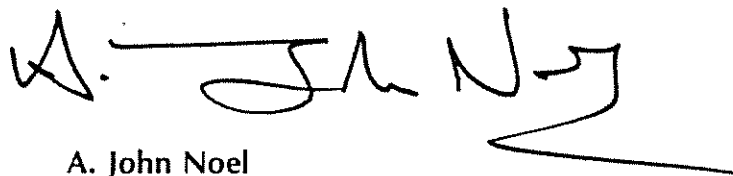
There appeared in favour of the motion: Mr. Hodder, Mr. Fitzgerald, Mr. Jack Byrne, Mr. Osborne, Mr. Ottenheimer, Mr. Harris, Ms. Jones.

Against: The Hon. the Minister of Forest Resources & Agrifoods (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), the Hon. the Minister of Education (Mr. Grimes), Mr. Lush, Mr. Penney, Mr. Langdon, the Hon. the Minister of Works, Service & Transportation (Ms. Bettney), the Hon. the Minister of Development & Rural Renewal (Ms. Foote), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Oldford, Mr. Canning, Mr. Smith, Mr. Ramsay, Ms. Hodder, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow, Mr. Wiseman.

The Speaker declared the Resolution defeated.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, May 8th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal line extending to the right.

A. John Noel
Clerk of the House of Assembly

Thursday, May 8th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Member for Twillingate & Fogo (Mr. Reid), as Acting Chairperson of the Social Services Committee, reported that the Committee had considered the matters to it referred and had passed, without amendment, the following Heads of Expenditure:

Education
Health
Human Resources & Employment
Justice
Environment & Labour.

On motion the Report was received and on motion debate on the Report was deferred until tomorrow.

The Member for Labrador West (Mr. Canning), as Chairperson of the Resource Committee, reported that the Committee had considered the matters to it referred and had passed, without amendment, the following Heads of Expenditure:

Development & Rural Renewal
Fisheries & Aquaculture
Forest Resources & Agrifoods
Industry, Trade & Technology
Mines & Energy
Tourism, Culture & Recreation.

On motion the Report was received and on motion debate on the Report was deferred until tomorrow.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens requesting the Government to reverse the decision to privatize provincial parks.

May 8th, 1997

By leave, the Honourable the Government House Leader (Mr. Tulk) gave notice that he would on tomorrow Move that a Further Estimate of Expenditure Related to a Contingency Reserve in the amount of \$30 million be referred to the Committee of Supply.

By leave, the Honourable the Government House Leader moved that a Further Estimate of Expenditure Related to a Contingency Reserve in the amount of \$30 million be referred to the Committee of Supply.

The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion the House resolved itself into a Committee of the Whole on Supply.

The Speaker left the Chair.

Mr. Penney took the Chair of Committee of Supply.

The Committee of Supply considered the Executive Council Head of Expenditure.

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee of Supply reported that the Committee had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

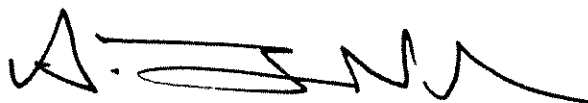
At 4:30 o'clock pursuant to Standing Order 31, certain questions raised by Members were debated, following which pursuant to Standing Order 31, the Speaker put the question that the House do now adjourn.

The motion was carried.

May 8th, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, May 12th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long horizontal stroke.

A. John Noel
Clerk of the House of Assembly

Monday, May 12th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Speaker ruled that a certain remark made by the Honourable the Minister of Education (Mr. Grimes) during Oral Questions on Thursday past was unparliamentary. The Honourable the Minister of Education withdrew the remark.

The Honourable the Minister of Health (Ms. Aylward) made a statement to report on the discussion conducted by health care providers, consumers and administrators during the Health Care Forum.

The Honourable the Minister of Works, Services & Transportation (Mr. Matthews) made a statement to announce that Government had reached a decision with respect to the future delivery of Air Ambulance Services in the Province. The Minister announced that this service will not be privatized.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) made a statement to advise Members that this was Police Week in Canada.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made an oral statement respecting the negative publicity of a CBC television program on the newly announced tannery in the Baie Verte Peninsula. The Minister also tabled a letter.

The Leader of the Opposition (Mr. Sullivan) presented a Petition on behalf of certain citizens of Calvert in his District requesting the Department of Works, Services and Transportation to upgrade and pave the road on the north side of Calvert.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of citizens of Winter Brook requesting Government to allocate necessary funding to pave 8 kilometres of road on Route 234 starting from the Community of Jamestown towards and including the Community of Winter Brook.

May 12th, 1997

Pursuant to order and on motion debate commenced on the Concurrence Motion with respect to the Report of the Resource Estimates Committee.

The Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon.

The Speaker put the question on the motion and declared the motion carried.

Debate continued on the Concurrence Motion.

The House recessed at 5:55 p.m. However, it was agreed that the clock not stop during the period of recess.

The Speaker (Mr. Barrett) resumed the Chair at 6:45 o'clock in the evening.

Debate concluded on the Concurrence Motion with respect to the Report of the Resource Estimates Committee.

The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion debate commenced and concluded on the Concurrence Motion with respect to the Report of the Social Services Estimates Committee.

The Speaker put the question on the motion and declared the motion carried.

By leave, the House agreed that the last noted Concurrence debate had consumed three hours of debate.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Judgment Enforcement Act" (Bill No. 8) and on motion it was ordered that Bill No. 8 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Judgment Enforcement Act" (Bill No. 8) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

May 12th, 1997

By agreement of all Members, the Honourable the Minister of Forest Resources and Agrifoods (Mr. Tulk) gave notice that he would introduce a Bill entitled, "An Act Respecting the Good Faith Donation and Distribution of Food" (Bill No. 12).

By leave, pursuant to order and on motion the Bill entitled, "An Act Respecting the Good Faith Donation and Distribution of Food" (Bill No. 12) was introduced and read a first time and on motion it was ordered that the said Bill be read a second time on tomorrow.

By leave and the agreement of all Members the Honourable the Government House Leader moved that the Report of the Standing Committee on Social Services with respect to Bill No. 30 entitled "An Act Respecting the Good Faith Donation and Distribution of Food", introduced during the First Session was deemed to have been received by the House and that the draft Bill and the contents of the Report of that Committee with respect to that Bill be made available to and distributed in the House in due course before Second Reading of Bill No. 12.

The Speaker put the question on the motion and declared the motion carried.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, May 13th at 2 o'clock in the afternoon.

On motion the House then adjourned at 9:15 o'clock in the evening.



A. John Noel
Clerk of the House of Assembly

Tuesday, May 13th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made a further statement in order to refute an erroneous CBC Program respecting the tannery at Baie Verte. The Minister also tabled a letter from Dr. Michael Delmas of the National Polytechnic Institute of Toulouse, France denying any legal dispute with National Polytechnic Institute, Teleous Trading of Italy and NATSIQ Nfld.

The Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) made a statement to announce that privatization arrangements had been concluded with respect to eight parks which will be opened for the Victoria Day Weekend. These parks are Beothuck, Backside Pond, Catamaran, Jack's Pond, Gushue's Pond, Northern Bay Sands, Bellevue Beach and Square Pond.

The Honourable the Minister of Health (Ms. Aylward) made a statement to recognize National Nurses Week, May 12 - 18. The theme this year is "Sharing the Health Challenge".

The Honourable the Minister of Government Services and Lands (Mr. McLean) gave notice that he would on tomorrow ask leave to introduce the following Bills:

- | | |
|--------|---|
| A Bill | "An Act To Amend The Residential Tenancies Act" (Bill No. 15) |
| A Bill | "An Act To Amend The Collections Act" (Bill No. 16) |
| A Bill | "An Act To Amend The Direct Sellers Act" (Bill No. 17). |

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The City of St. John's Act and the St. John's Municipal Elections Act" (Bill No. 13).

The Honourable the Minister of Education (Mr. Grimes) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Schools Act, 1996" (Bill No. 14).

The Member for Topsail (Mr. Wiseman) gave notice that he would on tomorrow move the following Resolution:

May 13th, 1997

"WHEREAS our Province is celebrating the 500th year of discovery of Newfoundland and Labrador by John Cabot;

AND WHEREAS there has been terrific effort gone into the promotion and planning for the celebration of this important milestone in our province's, indeed the nation's, history;

AND WHEREAS Members of this Honourable House play a significant leadership role in their districts and collectively for the Province;

THEREFORE BE IT RESOLVED that all Members of this Honourable House actively promote these celebrations and help build on our tourism strength so we can make this year the biggest tourism year ever for this province."

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of residents of Jamestown protesting the deplorable condition of 2.6 kilometres of gravel road in that community.

The Member for Baie Verte (Mr. Shelley) presented a Petition on behalf of residents of his District, namely the students of H.L. Strong Academy in Little Bay Islands, requesting the reconsideration of the loss in the special needs unit and its negative effects on the students at the school.

Pursuant to order and on motion the House resolved itself into a Committee of the Whole on Supply.

The Speaker left the Chair.

Mr. Penney took the Chair of the Committee of Supply.

The Honourable the Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon.

The Chairperson put the question on the motion and declared the motion carried.

May 13th, 1997

The Committee of Supply considered the Executive Council Head of Expenditure.

The Committee recessed at 6 p.m. However, it was agreed that the clock would not stop during the period of recess.

The Chairperson (Mr. Barrett) resumed the Chair of Committee of Supply at 6:45 o'clock in the evening.

Debate continued on the Executive Council Head of Expenditure.

By leave, the Honourable the Government House Leader moved that the Committee not rise and that the Bill entitled, "An Act To Amend The City of St. John's Act and the St. John's Municipal Elections Act" (Bill No. 13) be introduced and read a first time. By leave, the Chairperson put the question to the Members and the Members agreed to deem that the matter of First Reading of Bill No. 13 was before the House.

By leave, pursuant to order and on motion the Bill entitled, "An Act To Amend The City of St. John's Act and the St. John's Municipal Elections Act" (Bill No. 13) was introduced and read a first time and on motion it was ordered that the said Bill be read a second time presently by leave.

The Honourable the Government House Leader moved that the House not adjourn at 10 o'clock in the evening. The Chairperson put the question on the motion and declared the motion carried.

Debate continued on the Executive Council Head of Expenditure.

By leave, the Committee agreed at 9 o'clock in the evening that the Committee would recess for 20 minutes but that the clock would not stop.

The Chairperson resumed the Chair at 9:20 o'clock in the evening.

Debate continued and concluded on the Executive Council Head of Expenditure.

The Committee of Supply considered and passed the **Executive Council** Head of Expenditure.

May 13th, 1997

The Committee of Supply considered and passed the **Consolidated Fund Services** and the **Contingency Reserve** Heads of Expenditure.

On motion the Committee rose.
The Speaker resumed the Chair.

The Chairperson of the Committee of Supply reported that the Committee had considered the matters to it referred, had passed the Heads of Expenditure of the **Executive Council, Consolidated Fund Services** and **Contingency Reserve**, without amendment, and asked leave to sit again.

On motion the report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

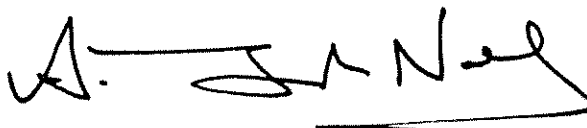
By leave, pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The City of St. John's Act and the St. John's Municipal Elections Act" (Bill No. 13) and on motion it was ordered that Bill No. 13 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The City of St. John's Act and the St. John's Municipal Elections Act" (Bill No. 13) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

The Honourable the Government House Leader announced that the motion standing in the name of the Member for Topsail (Mr. Wiseman) would be debated on Private Members' Day on Wednesday.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Wednesday, May 14th at 2 o'clock in the afternoon.

On motion the House then adjourned at 11:12 o'clock in the evening.



A. John Noel
Clerk of the House of Assembly

Wednesday, May 14th, 1997

The House met at 2 o'clock pursuant to adjournment.

The Honourable the Minister of Health (Ms. Aylward) made a statement to announce a plan to reduce the wait list for cardiac surgery. The Minister stated that the Health Care Corporation of St. John's has made arrangements for Newfoundland residents to undergo cardiac surgery at the Queen Elizabeth II Health Sciences Centre in Halifax, Nova Scotia and the St. John Regional Hospital in New Brunswick.

The Honourable the Minister of Environment and Labour (Mr. Aylward) made a statement to announce that a collective agreement between Newfoundland Transshipment and the Newfoundland and Labrador Building and Construction Trades Council had been finalized.

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of citizens requesting the Government to reverse the decision to privatize provincial parks.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

By leave, pursuant to order and on motion the following Bills were introduced and read a first time:

- | | |
|--------|---|
| A Bill | "An Act To Amend The Residential Tenancies Act" (Bill No. 15) |
| A Bill | "An Act To Amend The Collections Act" (Bill No. 16) |
| A Bill | "An Act To Amend the Direct Sellers Act" (Bill No. 17) |
| A Bill | "An Act To Amend The Schools Act, 1996" (Bill No. 14). |

On motion it was ordered that the said Bills be read a second time on tomorrow.

May 14th, 1997

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for Topsail (Mr. Wiseman):

"WHEREAS our Province is celebrating the 500th year of discovery of Newfoundland and Labrador by John Cabot;

AND WHEREAS there has been terrific effort gone into the promotion and planning for the celebration of this important milestone in our province's, indeed the nation's, history;

AND WHEREAS Members of this Honourable House play a significant leadership role in their districts and collectively for the Province;

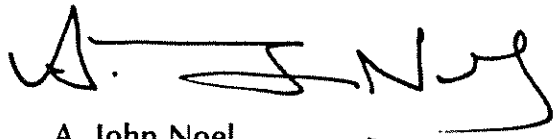
THEREFORE BE IT RESOLVED that all Members of this Honourable House actively promote these celebrations and help build on our tourism strength so we can make this year the biggest tourism year ever for this province."

The Speaker put the question on the Resolution.

The Speaker declared the Resolution carried unanimously.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, May 15th at two o'clock in the afternoon.

On motion the House then adjourned accordingly.


A. John Noel
Clerk of the House of Assembly

Thursday, May 15th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Premier made a statement to express condolences to the family of the late Mr. Gregory Power, a former Member of the House and Minister of the Crown. The Leader of the Opposition (Mr. Sullivan) and the Member for Signal Hill - Quidi Vidi (Mr. Harris) also spoke in reply to the statement and agreed that the House send condolences to the family.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) made an oral statement respecting the support by the Clarenville Town Council for the Sports Complex Project, including the funding arrangements under the Canada-Newfoundland Infrastructure Program. The Minister also tabled a letter of support from the Mayor of Clarenville.

The Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) made a statement to advise Members that the Department had successfully concluded an agreement with William Manning and Sons Ltd. of St. Bride's to privatize the operation of Fitzgerald's Pond Park.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Dicks) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend the Insurance Companies Tax Act" (Bill No. 5).

In reply to a question for which notice had been given, the Honourable the Minister of Justice and Attorney General (Mr. Decker) gave an answer respecting lock downs and drug searches at the Newfoundland and Labrador Youth Centre.

The Leader of the Opposition (Mr. Sullivan) presented a petition on behalf of residents of Labrador West requesting the Government to lower taxes on gasoline and tobacco products in the border areas with Quebec.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of residents of his District urging the Government to establish a procedure for the collection of paper products as part of the existing beverage container program.

May 15th, 1997

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Tax Agreement Act" (Bill No. 3) and on motion it was ordered that Bill No. 3 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Tax Agreement Act" (Bill No. 3) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act Respecting The Good Faith Donation And Distribution of Food" (Bill No. 12) and on motion it was ordered that Bill No. 12 be read a second time presently.

On motion the Bill entitled, "An Act Respecting The Good Faith Donation And Distribution of Food" (Bill No. 12) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole on tomorrow.

Pursuant to order and on motion debate commenced on Second Reading of the Bill entitled, "An Act To Amend The Small Claims Act" (Bill No. 1) and on motion debate was adjourned for further debate.

By leave, it was agreed to dispense with the adjournment motion under Standing Order 31.

The Honourable the Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon. The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Residential Tenancies Act" (Bill No. 15) and on motion it was ordered that Bill No. 15 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Residential Tenancies Act" (Bill No. 15) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole on tomorrow.

May 15th, 1997

Pursuant to order and on motion debate resumed and concluded on the Bill entitled, "An Act To Amend The Small Claims Act" (Bill No. 1) and on motion it was ordered that Bill No. 1 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Small Claims Act" (Bill No. 1) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Collections Act" (Bill No. 16) and on motion it was ordered that Bill No. 16 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Collections Act" (Bill No. 16) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Direct Sellers Act" (Bill No. 17) and on motion it was ordered that Bill No. 17 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Direct Sellers Act" (Bill No. 17) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

The House recessed at 5:56 o'clock in the afternoon.

The Speaker resumed the Chair at 6:58 in the evening.

By leave, pursuant to order and on motion the Bill entitled, "An Act To Amend The Insurance Companies Tax Act" (Bill No. 5) was introduced and read a first time and on motion it was ordered that Bill No. 5 be read a second time on tomorrow.

Pursuant to order and on motion debate continued and concluded on the Budget Speech.

The Speaker put the question on the Budget motion that he do now leave the Chair and that the House resolve itself into a Committee of the Whole on Ways and Means.

May 15th, 1997

The Speaker left the Chair and Mr. Penney took the Chair of Committee of Ways and Means.

On motion the Committee of Ways and Means rose.
The Speaker resumed the Chair.

The Chairperson of the Committee of Ways and Means reported that the Committee had considered the matters to it referred, had made some progress and asked leave to sit again presently.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) informed the House he had received a Message from His Honour the Lieutenant-Governor.

The Message was read to the House by the Speaker as follows:

"May 7, 1996

The Honourable the Minister of Finance

I, the Lieutenant-Governor of the Province of Newfoundland, transmit Estimates required for the Public Service of the Province for the year ending March 31, 1998, by way of Further Supply and, in accordance with the provisions of the *Constitution Act, 1867*, I recommend these Estimates to the House of Assembly.

A. M. House
Lieutenant-Governor".

On motion of the Honourable the Government House Leader (Mr. Tulk) it was moved that the Message be referred to a Committee of the Whole on Supply.

The Speaker left the Chair.
Mr. Penney took the Chair of Committee of Supply.

The Committee of Supply considered and passed the total contained in the Estimates and directed that a Resolution and Bill be adopted to give effect to the same.

May 15th, 1997

On motion the Committee of Supply rose.
The Speaker resumed the Chair.

The Chairperson of the Committee of Supply reported that the Committee of Supply had passed the amount of \$2,820,553,900 contained in the Estimates of Supply and asked leave to sit again.

Pursuant to order and on motion the Honourable the Government House Leader moved that the report of the Committee of the Whole on Supply with respect to the Estimates for 1996-97, together with a Resolution and Bill No. 11 consequent thereto be referred to a Committee of the Whole on Ways and Means and that the Speaker do now leave the Chair.

The Speaker put the motion and the motion was carried.

The Speaker left the Chair.
Mr. Barrett took the Chair of Committee of Ways Means.

The Committee of Ways and Means considered and passed a Certain Resolution and a Bill entitled, "An Act For Granting Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 1998 And For Other Purposes Relating To The Public Service" (Bill No. 11).

On motion the Committee of Ways and Means rose.
The Speaker resumed the Chair.

The Chairperson of the Committee of Ways and Means reported that the Committee of Ways and Means had considered the matters to it referred and had passed a certain Resolution and Bill No. 11 consequent thereto and recommended that Bill No. 11 be introduced to give effect to same.

On motion the report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again.

Pursuant to order and on motion the following Resolution was read a first and second time:

"That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain expenses of the Public Service for the financial year ending March 31, 1998, the sum of \$1,801,088,200."

May 15th, 1997

Pursuant to order and on motion the Bill entitled, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending March 31, 1998 And For Other Purposes Relating To The Public Service" (Bill No. 11) was read a first, second and third time and passed.

On motion it was ordered that Bill No. 11 be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Dicks) moved that the House not adjourn at 10 o'clock in the evening.

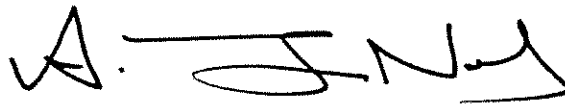
The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Schools Act, 1996" (Bill No. 14) and on motion it was ordered that it was ordered that Bill No. 14 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Schools Act" (Bill No. 14) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Friday, May 16th at 9 o'clock in the morning.

On motion the House adjourned at 9:30 o'clock in the evening.



A. John Noel
Clerk of the House of Assembly

Friday, May 16th, 1997

The House met at 9 o'clock in the morning pursuant to adjournment.

The Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) made a statement to announce a new community-based competition called **Tidy Towns**.

The Honourable the Minister of Works, Services and Transportation (Mr. Matthews) made a statement to announce he was reviewing departmental plans to undertake a pilot project to privatize highway maintenance and snow clearing operations on the Avalon Peninsula next winter. The Minister also announced he had directed a new proposal in conjunction with the Newfoundland Association of Public Employees.

The Honourable the Minister of Environment and Labour (Mr. Aylward) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Shops' Closing Act" (Bill No. 18)

A Bill "An Act To Amend The Labour Relations Act" (Bill No 20).

The Honourable the Minister of Education (Mr. Grimes) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Teachers' Association Act" (Bill No. 19).

In reply to a question for which notice had been given, the Honourable the Minister of Government Services and Lands (Mr. McLean) gave answers respecting the computerization and on-line facility of the various registries that fall under the authority of his Department.

The Leader of the Opposition (Mr. Sullivan) presented a Petition on behalf of certain residents requesting the Department of Education to provide a paid adult monitor program on school buses in order to supervise the safety of children.

The Member for St. John's East (Mr. Ottenheimer) presented a Petition on behalf of residents of the area served by the Avalon West School District requesting that the District School Board reconsider its decision to designate the Harbour Grace High School as a junior high school.

May 16th, 1997

The Member for Signal Hill - Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens urging the Government to require the proponent of the Voisey's Bay Nickel Company to use the best technology available to control emissions from the proposed smelter and that an environmental impact statement be required to include an assessment of the environmental impact of generating all the power needed for the project.

Pursuant to order and on motion the House resolved itself into a Committee of the Whole House.

The Speaker left the Chair.

Mr. Penney took the Chair of Committee of the Whole.

The Committee of the Whole considered and passed the Bill entitled, "An Act To Amend The Judgment Enforcement Act" (Bill No. 8).

The Committee of the Whole considered and passed the Bill entitled, "An Act To Amend The City of St. John's Act and the St. John's Municipal Elections Act" (Bill No. 13).

The Committee of the Whole considered and passed the Bill entitled, "An Act Respecting The Good Faith Donation And Distribution of Food" (Bill No. 12).

The Committee of the Whole considered the Bill entitled, "An Act To Amend The Small Claims Act" (Bill No. 1).

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) introduced certain amendments to Bill No. 1.

The Member for Signal Hill - Quidi Vidi introduced an amendment.

The Committee deferred consideration of Bill No. 1.

The Committee of the Whole considered the Bill entitled, "An Act To Amend The Tax Agreement Act" (Bill No. 3).

The Leader of the Opposition moved an amendment.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) moved a subamendment to the amendment moved by the Leader of the Opposition.

May 16th, 1997

The Committee deferred consideration of Bill No. 3.

The Committee of the Whole considered and passed the Bill entitled, "An Act To Amend The Residential Tenancies Act" (Bill No. 15).

The Committee of the Whole considered and passed the Bill entitled, "An Act To Amend The Collections Act" (Bill No. 16).

The Committee of the Whole considered and passed the Bill entitled, "An Act To Amend The Direct Sellers Act" (Bill No. 17).

The Committee of the Whole considered and passed the Bill entitled, "An Act To Amend The Schools Act, 1996" (Bill No. 14).

A Chairperson of the Committee of the Whole recessed the Committee at 11:06 o'clock in the morning.

The Committee of the Whole resumed sitting at 11:20 o'clock in the morning and considered the Bill entitled, "An Act To Amend The Tax Agreement Act" (Bill No. 3).

The Honourable the Minister of Finance subsequently moved the following amendment:

"That clause 1 of the Bill be amended by adding immediately after the figures "(1)", in the proposed subsection 6(2) the following:

"respecting a rebate for building materials in Labrador;".

The Chairperson put the question on the amendment and declared the amendment carried.

The Committee of the Whole passed the Bill entitled, "An Act To Amend The Tax Agreement Act" (Bill No. 3) with an amendment.

The Committee of the Whole again considered the Bill entitled, "An Act To Amend The Small Claims Act" (Bill No. 1) and again deferred consideration of this Bill until an agreement had been reached respecting certain amendments.

On motion the Committee rose.
The Speaker resumed the Chair.

May 16th, 1997

The Chairperson of the Committee reported that the Committee of the Whole House had considered the matters to it referred and had passed the following Bills without amendment:

- A Bill "An Act To Amend The Judgment Enforcement Act" (Bill No. 8)
- A Bill "An Act To Amend The City Of St. John's Act And The St. John's Municipal Elections Act" (Bill No. 13)
- A Bill "An Act Respecting The Good Faith Donation and Distribution of Food" (Bill No. 12)
- A Bill "An Act To Amend The Residential Tenancies Act" (Bill No. 15)
- A Bill "An Act To Amend The Collections Act" (Bill no. 16)
- A Bill "An Act To Amend The Direct Sellers Act" (Bill 17)
- A Bill "An Act To Amend The Schools Act, 1996" (Bill No. 14)

On motion it was ordered that Bills No. 8, 13, 12, 15, 16, 17 and 14 be read a third time presently.

The Chairperson of the Committee of the Whole also reported that the Committee had considered the matters to it referred and had passed the Bill entitled, "An Act To Amend The Tax Agreement Act" (Bill No. 3) with an amendment and asked leave to sit again.

The amendment to Bill No. 3 having been read a first and second time, on motion it was ordered that Bill No. 3 be read a third time presently.

On motion the report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

May 16th, 1997

Pursuant to order and on motion debate commenced on Second Reading of the Bill entitled, "An Act To Remove Anomalies And Errors In The Statute Law" (Bill No. (9) and on motion debate was adjourned for further debate on tomorrow.

The Member for Labrador West (Mr. Canning) raised a Point of Privilege respecting certain remarks. The Speaker (Mr. Penney) took the matter under advisement.

By leave, pursuant to order and on motion the following Bills were introduced and read a first time:

- A Bill "An Act To Amend The Teachers' Association Act" (Bill No. 19)
- A Bill "An Act To Amend The Labour Relations Act" (Bill No. 20)
- A Bill "An Act To Amend The Shops' Closing Act' (Bill No. 18).

On motion it was ordered that the said Bills be read a second time on tomorrow.

Pursuant to order and on motion the following Bills were read a third time and passed:

- A Bill "An Act To Amend The Judgment Enforcement Act" (Bill No. 8)
- A Bill "An Act To Amend The City Of St. John's Act And The St. John's Municipal Elections Act" (Bill No. 13)
- A Bill "An Act Respecting The Good Faith Donation and Distribution of Food" (Bill No. 12)
- A Bill "An Act To Amend The Residential Tenancies Act" (Bill No. 15)
- A Bill "An Act To Amend The Collections Act" (Bill No. 16)

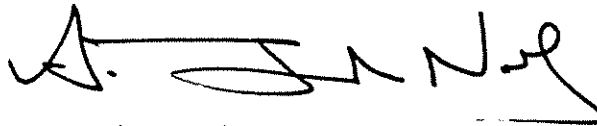
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- A Bill "An Act To Amend The Direct Sellers Act" (Bill 17)
- A Bill "An Act To Amend The Schools Act, 1996" (Bill No. 14)
- A Bill "An Act To Amend The Tax Agreement Act" (Bill No. 3).

On motion it was ordered that the said Bills be printed being entitled as above and that they be submitted to His Honour the Lieutenant-Governor for His Assent.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, May 20th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.



A. John Noel
Clerk of the House of Assembly

Tuesday, May 20th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) made a statement respecting impending legal proceedings raised by certain churches against the validity of the amendments to the **Schools Act, 1996** and the validity of educational reform.

The Honourable the Minister of Environment and Labour (Mr. Aylward) made a statement respecting and tabled the Report of Mr. Morgan Cooper, the consultant appointed in December, 1996 to make recommendations on the employee/employer framework for labour relations in offshore oil production platforms that come under provincial jurisdiction.

The Honourable the Minister of Health (Ms. Aylward) made a statement to announce the appointment of Ms. Doreen Neville as the chief executive officer of the recently established Newfoundland and Labrador Centre for Health Information. The Minister also announced that this new centre will assist health care providers and the public with the necessary information needed to make sound decisions about health care.

The Honourable the Minister of Forest Resources and Agrifoods (Mr. Tulk) made a statement respecting silviculture projects committed by the Department during 1997.

The Leader of the Opposition (Mr. Sullivan) gave notice that he would on tomorrow move the following Resolution;

"**WHEREAS** the minerals of Voisey's Bay belong to the people of Newfoundland and Labrador, and the primary beneficiaries of the development of those resources should be the people of Newfoundland and Labrador;

AND WHEREAS the **Mining and Mineral Rights Tax Act** states in subsections 4.1(1) and (2) that:

"4.1.(1) A person may, in the current taxation year, deduct from the amount payable under section 4, the amount payable to the province under the **Income Tax Act** in respect to mining income in the province for that year.

May 20th, 1997

"(2) Subsection (1) shall apply only for each year of the 1st 10 years after the achievement of commercial production in the mine from which the mining income is derived.";

AND WHEREAS, even though the Honourable the Premier stated in this House on November 20, 1996 that "there will be no 10-year tax holiday for Inco", yet there is nothing in the **Mining and Mineral Rights Tax Act** or any other legislation to exempt Inco or its subsidiaries or operations at Voisey's Bay from these provisions;

AND WHEREAS the provincial government has to date given the people of Newfoundland and Labrador no opportunity to understand, evaluate or have input regarding the various royalty regimes that may be under consideration with respect to Voisey's Bay minerals;

AND WHEREAS the **Mineral Act** states in paragraph 31(5(c)(vi) that a lease issued under the Act is subject to the condition "that the lessee shall, where required to do so by the Lieutenant-Governor in Council, complete primary production, in whole or in part, in the province, of a mineral or mineral ore extracted or removed under the lease";

BE IT THEREFORE RESOLVED that the House of Assembly urge the Government of Newfoundland and Labrador to act promptly to ensure the people of Newfoundland and Labrador derive maximum benefit from the development of our resources at Voisey's Bay;

AND BE IT FURTHER RESOLVED that the House of Assembly urge the government to act promptly to amend the **Mining and Mineral Rights Tax Act** by adding in subsection 4.1(1) immediately following the words "A person" the words "other than Inco and its subsidiaries and operations at Voisey's Bay";

AND BE IT FURTHER RESOLVED that the House of Assembly urge the government to hold an open consultation process with the people of our Province with respect to the various royalty regimes under consideration regarding Voisey's Bay minerals and do so prior to the finalization of any such royalty regime;

AND BE IT FURTHER RESOLVED that the House of Assembly urge the government to do everything it can, as is required by law, to establish a copper smelter-refinery in this Province to process as much as possible of the Voisey's Bay copper resources here in this Province."

May 20th, 1997

The Member for Kilbride (Mr. Ed Byrne) presented a Petition on behalf of residents of the Province urging the Government of Newfoundland and Labrador to introduce the appropriate amendments so that gasoline prices in the province will be regulated by the Public Utilities Board.

The Member for Signal Hill - Quid Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

By leave, the House reverted to the tabling of reports and the Government House Leader (Mr. Tulk), on behalf of the Honourable the Minister Responsible for the Status of Women (Ms. Bettney), tabled the Status Report on the Implementation of the Provincial Strategy Against Violence.

By leave, the House reverted to the tabling of reports and the Honourable the Government House Leader, on behalf of the Honourable the Minister of Environment and Labour (Mr. Aylward), tabled the 1996 Annual Report of the Labour Relations Division.

The Member for Waterford Valley (Mr. Hodder) presented a Petition on behalf of certain residents urging Government to defer proposed changes to the Group Home Care Program.

The Member for Waterford Valley (Mr. Hodder) presented a Petition on behalf of student - parents urging Government to change the rule of eligibility for student loans from the Department of Education's Student Aid Division.

The Honourable the Government House Leader moved that the House not adjourn at 5 o'clock in the afternoon. The Speaker (Mr. Barrett) put the question on the motion and declared the motion carried.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To amend The Teachers' Association Act" (Bill No. 19) and on motion it was ordered that Bill No. 19 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Teachers' Association Act" (Bill No. 19) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House presently.

May 20th, 1997

Pursuant to order and on motion debate commenced on Second Reading of the Bill entitled, "An Act To Remove Anomalies and Errors in the Statute Law" (Bill No. 9).

At 4:34 o'clock in the afternoon because of a disturbance in the Public Gallery, the Speaker (Mr. Penney) recessed the House and ordered the Galleries cleared.

The Speaker (Mr. Penney) resumed the Chair at 4:42 o'clock in the afternoon.

The Speaker (Mr. Penney) ruled that there was no **prima facie** case of privilege with respect to comments made by the Member for Waterford Valley (Mr. Hodder) on May 16th.

Pursuant to order and on motion debate continued and concluded on Second Reading of the Bill entitled, "An Act To Remove Anomalies And Errors In the Statute Law" (Bill No. 9) and on motion it was ordered that Bill No. 9 be read a second time presently.

On motion the Bill entitled, "An Act To Remove Anomalies And Errors In the Statute Law" (Bill No. 9) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate continued and concluded on Second Reading of the Bill entitled, "An Act To Amend the Insurance Companies Tax Act" (Bill No. 5) and on motion it was ordered that Bill No. 5 be read a second time presently.

On motion the Bill entitled, "An Act To Amend the Insurance Companies Tax Act" (Bill No. 5) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate continued and concluded on Second Reading of the Bill entitled, "An Act To Amend the Labour Relations Act" (Bill No. 20) and on motion it was ordered that Bill No. 20 be read a second time presently.

On motion the Bill entitled, "An Act To Amend the Labour Relations Act" (Bill No. 20) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House presently.

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The House recessed at 6:05 o'clock in the evening.

The Speaker resumed the Chair at 6:55 o'clock in the evening.

Pursuant to order and on motion the House resolved itself into a Committee of the Whole House.

The Speaker left the Chair.

Mr. Barrett took the Chair of Committee.

The Committee of the Whole considered and passed the Bill entitled, "An Act To Amend The Teachers' Association Act" (Bill No. 19).

The Committee of the Whole considered and passed the Bill entitled, "An Act To Amend The Insurance companies Tax Act" (Bill No. 5).

The Committee of the Whole considered the Bill entitled, "An Act To Amend The Small Claims Act" (Bill No. 1).

The Honourable the Minister of Justice and Attorney General (Mr. Decker) moved the following amendment:

"1. That Clause 6 of Bill No. 1 be amended by striking out in the proposed subsection 10(2) the words "and non-compliance hearings".

2. That Clause 7 of the Bill be deleted and the following substituted:

"7. Section 11 of the Act is repealed and the following substituted:

Payment and non-compliance hearings

"11.(1) The rules committee may make rules which provide for the enforcement of judgments and the examinations of persons at payment hearings, including rules

(a) which require a debtor or another person to appear for a payment hearing at a time and place mentioned in the summons;

(b) which require a debtor or another person to bring to a payment hearing those documents which may be described in the summons;

May 20th, 1997

- (c) giving debtors and creditors a right to request a payment hearing; and
 - (d) prescribing the types of evidence which may be brought before the court at a payment hearing;
- (2) A judge may
- (a) order a payment hearing;
 - (b) cancel or postpone a hearing where a creditor does not attend the hearing;
 - (c) issue a warrant to bring a person before the court; and
 - (d) provide a remedy at the conclusion of a payment hearing;

in accordance with the rules.

- (3) An examination of the debtor's means shall be held in private and no person other than the judge, the court officers, the creditor and the debtor and their representatives may be present."

The Chairperson put the question on the amendments and declared the amendments carried.

The Member for Signal Hill - Quidi Vidi (Mr. Harris) moved the following amendment:

"That clause 6 of the Bill be amended to insert after the word "order" in the proposed sub-section 10(4) thereof the following words:

"other than an order for the payment of money including the payment of money by a payment schedule"."

The Chairperson put the question on the amendment and declared the amendment carried.

The Committee of the Whole passed the Bill entitled, "An Act To Amend The Small Claims Act" (Bill No. 1), with amendments.

May 20th, 1997

The Committee of the Whole considered and passed the Bill entitled, "An Act To Remove Anomalies and Errors in the Statute Law" (Bill No. 9).

The Committee recessed at 7:35 o'clock in the evening.

The Committee resumed sitting at 7:55 o'clock in the evening.

The Committee of the Whole considered the Bill entitled, "An Act To Amend The Labour Relations Act" (Bill No. 20).

The Honourable the Minister of Environment and Labour (Mr. Aylward) moved the following amendment:

"That Clause 1 of Bill No. 20 be amended at the proposed paragraph 70(1)(c) by deleting the words "designed to develop a natural resource or establish a primary industry" and substituting the words "at the Bull Arm site", by adding the word "and" immediately after the word "work" and by deleting the phrase ", and catering within a prescribed geographic site,".

The Chairperson put the question on the amendment and declared the amendment carried.

On motion the Committee rose.
The Speaker (Mr. Snow) resumed the Chair.

The Chairperson of the Committee (Mr. Barrett) reported that the Committee of the Whole House had considered the matters to it referred and had passed the following Bills without amendment:

- | | |
|--------|--|
| A Bill | "An Act To Amend The Teachers' Association Act" (Bill No. 19) |
| A Bill | "An Act To Amend The Insurance Companies Tax Act" (Bill No. 5) |
| A Bill | "An Act To Remove Anomalies And Errors In The Statute Law" (Bill No. 9). |

On motion it was ordered that Bills No. 19, 5 and 9 be read a third time presently.

May 16th, 1997

The Chairperson of the Committee also reported that the Committee had considered the matters to it referred and had passed the following Bills with amendments and asked leave to sit again.

A Bill "An Act To Amend the Small Claims Act"
(Bill No. 1)

A Bill "An Act To Amend The Labour Relations
Act" (Bill No. 20).

The amendments to Bills No. 1 and 20 having been read a first and second time, on motion it was ordered that Bills No. 1 and 20 be read a third time presently.

On motion the report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

By leave, pursuant to order and on motion the following Bills were read a third time and passed:

A Bill "An Act To Amend The Small Claims
Act" (Bill No. 1)

A Bill "An Act To Remove Anomalies And Errors
In The Statute Law" (Bill No. 9)

A Bill "An Act To Amend The Insurance Companies
Tax Act" (Bill No. 5)

A Bill "An Act To Amend The Teachers' Association
Act" (Bill No. 19)

A Bill "An Act To Amend The Labour Relations
Act" (Bill No. 20).

On motion it was ordered that the said Bills be printed being entitled as above and that they be submitted to His Honour the Lieutenant-Governor for His Assent.

The House recessed at 8:23 for the arrival of His Honour the Administrator.

May 20th, 1997

The Sergeant-at-Arms announced the arrival of His Honour the Administrator.

The Speaker left the Chair.

His Honour the Administrator took the Chair.

The Speaker addressed His Honour as follows:

"It is my agreeable duty on behalf of Her Majesty's dutiful and Loyal subjects, Her Faithful Commons in Newfoundland and Labrador to present to Your Honour a Bill for the appropriation of Supply granted in the present Session."

Whereupon the Clerk read the following Bill:

A Bill "An Act For Granting To Her Majesty
 Certain Sums Of Money For Defraying
 Certain Expenses Of The Public Service
 For The Financial Year Ending March 31,
 1998 And For Other Purposes Relating To
 The Public Service" (Bill No. 11).

His Honour the Administrator then said, "In Her Majesty's Name, I thank her Loyal Subjects, I accept their benevolence and I Assent to this Bill".

The Speaker addressed His Honour as follows:

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

Whereupon the Clerk read the following Bills:

A Bill "An Act To Amend The Judgment Enforcement
 Act" (Bill No. 8)

A Bill "An Act To Amend The City of St. John's
 Act and the St. John's Municipal Elections
 Act" (Bill No. 13)

May 20th, 1997

- A Bill "An Act Respecting The Good Faith Donation And Distribution of Food" (Bill No. 12)
- A Bill "An Act To Amend The Residential Tenancies Act" (Bill No. 15)
- A Bill "An Act To Amend the Collections Act" (Bill No. 16)
- A Bill "An Act To Amend The Direct Sellers Act" (Bill No. 17)
- A Bill "An Act To Amend the Schools Act, 1996" (Bill No. 14)
- A Bill "An Act To Amend The Tax Agreement Act" (Bill No. 3)
- A Bill "An Act To Amend The Teachers' Association Act" (Bill No. 19)
- A Bill "An Act To Amend The Insurance Tax Companies Act" (Bill No. 5)
- A Bill "An Act To Amend the Small Claims Act" (Bill No. 1)
- A Bill "An Act To Remove Anomalies and Errors in the Statute Law" (Bill No. 9)
- A Bill "An Act To Amend The Labour Relations Act" (Bill No. 20).

His Honour the Administrator then said, "In Her Majesty's Name, I Assent to these Bills".

His Honour then left the Chamber.

The Speaker resumed the Chair.

May 20th, 1997

The Honourable the Government House Leader (Mr. Tulk) moved, "That when this House adjourns today, it stands adjourned until the call of the Chair. The Speaker, or in his absence from the Province the Deputy Speaker, may give notice and thereupon the House shall meet at the time and date stated by the notice of the proposed sitting. And I also move that this House now adjourn."

The Speaker put the question on the above noted motions and declared the motions carried.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a stylized, wavy flourish extending to the right.

A. John Noel
Clerk of the House of Assembly

Friday, June 20th, 1997

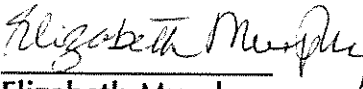
Be it known on this day in accordance with section 12(2) of the **Workers' Compensation Act**, the Honourable the Minister of Environment and Labour (Mr. Aylward) sent to the Honourable the Speaker and Members of the House of Assembly the Annual Report and audited financial statements of the Workers Compensation Commission for the year ended December 31, 1996. The Report is deemed to have been tabled in the House of Assembly on this day.



A. John Noel,
Clerk of the House.

Friday, August 8th, 1997

Be it known that on this day there appeared before the Honourable A.M. House, Lieutenant-Governor of the Province of Newfoundland, Sheila Osborne, Member returned for the District of St. John's West in the By-Election held on July 21st, 1997, who took and subscribed to the Oath of Allegiance in the presence of the Clerk Assistant of the House of Assembly.


Elizabeth Murphy,
Clerk Assistant.

Thursday, September 4th, 1997

The House met at 2 o'clock in the afternoon pursuant to the adjournment motion adopted by the House on May 20th, 1997.

Before Routine Proceedings, the Honourable the Speaker introduced three new pages namely: Lynn Hammond, Roxanne Sinyard, Eric Kelly.

The Honourable the Premier (Mr. Tobin), the Leader of the Opposition (Mr. Sullivan) and the Member for Signal Hill-Quidi Vidi (Mr. Harris) recognized the newly elected Member for St. John's West (Ms. Sheila Osborne).

The Honourable the Premier moved, seconded by the Leader of the Opposition (Mr. Sullivan), that Mr. Melvin Penney, the Member for the District of Lewisporte be elected Deputy Speaker of the House.

The motion was put by the Speaker and unanimously carried.

The Honourable the Premier moved, seconded by the Leader of the Opposition, that Mr. Douglas Oldford, the Member for the District of Trinity North be elected Deputy Chairperson of Committees.

The motion was put by the Speaker and unanimously carried.

The Honourable the Premier gave notice that he would presently, by leave, move the following Resolution:

"RESOLUTION

"**WHEREAS** section 43 of the **Constitution Act, 1982** provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

NOW THEREFORE the House of Assembly of the Province of Newfoundland resolves that His Excellency the Governor General be authorized to issue a proclamation under the Great Seal of Canada amending the Constitution of Canada in accordance with the Schedule set forth below.

September 4th, 1997

SCHEDULE

AMENDMENT TO THE CONSTITUTION OF CANADA

1. Term 17 of the Terms of Union of Newfoundland with Canada set out in the Schedule to the **Newfoundland Act** is repealed and the following substituted therefor:

"17. (1) In lieu of section ninety-three of **Constitution Act, 1867**, this term shall apply in respect of the Province of Newfoundland.

(2) In and for the Province of Newfoundland, the Legislature shall have exclusive authority to make laws in relation to education, but shall provide for courses in religion that are not specific to a religious denomination.

(3) Religious observances shall be permitted in a school where requested by parents."

Citation

2. This amendment may be cited as the **Constitution Amendment, year of proclamation (Newfoundland Act)**.

ANNEXE

MODIFICATION DE LA CONSTITUTION DU CANADA

1. La clause 17 des Conditions de l'union de Terre-Neuve avec le Canada figurant à l'annexe de la **Loi sur Terre-Neuve** est abrogée et remplacée par ce qui suit:

"17. (1) En ce qui concerne la province de Terre-Neuve, la présente clause s'applique au lieu de l'article quatre-vingt-treize de la **Loi constitutionnelle de 1867**.

September 4th, 1997

(2) Dans la province de Terre-Neuve et pour cette province, la Législature a compétence exclusive pour légiférer en matière d'éducation, mais elle doit prévoir un enseignement religieux qui ne vise pas une religion en particulier.

(3) L'observance d'une religion doit être permise dans une école si les parents le demandent."

Titre

2. Titre de la présente modification: **Modification constitutionnelle de année de la proclamation (Loi sur Terre-Neuve)."**

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of certain residents urging the Government of the Province to delay the removal of bridges from the railway bed along the route in his District and to extend the deadline for receiving submissions regarding the future of those bridges and the railway bed.

By leave, the Member for Kilbride (Mr. E. Byrne) tabled, pursuant to section 16 of the **Auditor General Act**, the following Reports of the Auditor General:

- (a) The Review of the Financial Affairs of the Health Care Corporation of St. John's; and
- (b) Report of the Administration and Financial Operations of the Town of Pouch Cove.

By leave, pursuant to order and on motion debate commenced on the Resolution, standing in the name of the Honourable the Premier with respect to an Amendment to the Constitution of Canada (Term 17 of the Terms of Union of Newfoundland with Canada).

The Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon but that the House adjourn at 6 o'clock.

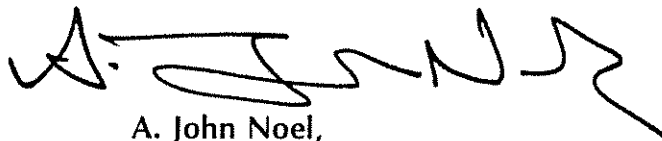
The Speaker put the question and declared the motion carried.

September 4th, 1997

Debate continued on the Resolution to amend the Constitution of Canada (Term 17 of the Terms of Union of Newfoundland with Canada) and on motion debate was adjourned for further debate on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Friday, September 5th at 9 o'clock in the morning.

On motion the House then adjourned at 5:30 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a stylized flourish at the end.

A. John Noel,
Clerk of the House of Assembly.

Friday, September 5th, 1997

The House met at 9 o'clock on the morning pursuant to adjournment.

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of certain residents urging the Government of the Province to delay the removal of bridges from the railway bed along the route in his District and to extend the deadline for receiving submissions regarding the future of those bridges and the railway bed.

Pursuant to order and on motion debate continued on the Resolution, being Motion No. 1 standing in the name of the Honourable the Premier with respect to an Amendment to the Constitution of Canada (Term 17 of the Terms of Union of Newfoundland with Canada).

The House recessed at 10:18 o'clock in the morning in order for the Premier to conclude the debate.

The Speaker resumed the Chair at 10:22 o'clock in the morning.

Debate continued on the Resolution and was concluded by the Honourable the Premier.

The Speaker put the question on the Resolution being Motion No. 1 standing in the name of the Honourable the Premier with respect to an amendment to the Constitution of Canada (Term 17 of the Terms of Union of Newfoundland with Canada).

The House divided.

There appeared in favour of the motion: the Honourable the Premier (Mr. Tobin), the Honourable the Minister of Development & Rural Renewal (Mr. Tulk), the Honourable the Minister of Mines & Energy (Mr. Furey), the Honourable the Minister of Justice & Attorney General (Mr. Decker), the Honourable the Minister of Fisheries & Aquaculture (Mr. Efford), the Honourable the Minister of Municipal & Provincial Affairs (Mr. Art Reid), Mr. Flight, Mr. Walsh, the Honourable the Minister of Finance & Treasury Board (Mr. Dicks), the Honourable the Minister of Education (Mr. Grimes), the Honourable the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Lush, Mr. Penney, Mr. Oldford, the Honourable the Minister of Health (Ms. Aylward), Mr. Barrett, the Honourable the Minister of Human Resources &

September 5th, 1997

Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Honourable the Minister of Works, Services & Transportation (Mr. Matthews), the Honourable the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Honourable the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow, the Honourable the Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris, Ms. Jones.

The Speaker declared the motion carried unanimously.

The Honourable the Government House Leader (Mr. Tulk) moved, "That when this House adjourns today, it stands adjourned until the call of the Chair. The Speaker, or in his absence from the Province the Deputy Speaker, may give notice and thereupon the House shall meet at the time and date stated by the notice of the proposed sitting. And I also move that this House now adjourn."

The Speaker put the question on the above noted motions and declared the motions carried.

On motion the House then adjourned at 10:37 o'clock in the morning.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a stylized flourish at the end.

A. John Noel,
Clerk of the House of Assembly.

Monday, November 17th, 1997

The House met at 2 o'clock in the afternoon pursuant to the adjournment motion adopted by the House on September 5th, 1997.

The Honourable the Premier (Mr. Tobin), seconded by the Leader of the Opposition (Mr. Sullivan) and the Member for Signal Hill-Quidi Vidi (Mr. Harris) moved that the Speaker on behalf of the House of Assembly send a letter of condolence to the family of the late Honourable J.W. Pickersgill former Federal Member of Parliament for Newfoundland.

The Honourable the Government House Leader (Mr. Tulk) made a statement to announce the Government's legislative program during the fall sitting of the House.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) made a statement respecting the mid-year budgetary position of the Province for the 1997-98 fiscal year.

The Honourable the Premier (Mr. Tobin) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS all Members of the Newfoundland and Labrador House of Assembly wish to underscore and emphasize their strong commitment to the unity of Canada;

AND WHEREAS Canada's federalist Premiers and Territorial Leaders met in Calgary on September 14, 1997 and agreed on a Framework for Discussion on Canadian Unity;

AND WHEREAS Members of this House have consulted Newfoundlanders and Labradorians on this Framework and have found that citizens of the Province have a strong commitment to Canada and to the importance of Quebec's place within Canada;

AND WHEREAS Newfoundlanders and Labradorians are committed to the prosperity, vitality and well-being of Canada;

AND WHEREAS Newfoundlanders and Labradorians are supportive of reforming the Canadian federation so as to strengthen and improve the ability of the federal and provincial governments to work together for the benefit of all Canadians;

November 17th, 1997

THEREFORE BE IT RESOLVED that the House of Assembly of Newfoundland and Labrador, on behalf of the citizens of our Province, endorses the Calgary Declaration as follows:

- All Canadians are equal and have rights protected by law.
- All provinces, while diverse in their characteristics, have equality of status.
- Canada is graced by a diversity, tolerance, compassion and an equality of opportunity that is without rival in the world.
- Canada's gift of diversity includes Aboriginal peoples and cultures, the vitality of the English and French languages and multicultural citizenry drawn from all parts of the world.
- In Canada's federal system, where respect for diversity and equality underlies unity, the unique character of Quebec society, including its French speaking majority, its culture and its tradition of civil law, is fundamental to the well being of Canada. Consequently, the legislature and Government of Quebec have a role to protect and develop the unique character of Quebec society within Canada.
- If any future constitutional amendment confers powers on one province, these powers must be available to all provinces.
- Canada is a federal system where federal, provincial, and territorial governments work in partnership while respecting each other's jurisdictions. Canadians want their governments to work cooperatively and with flexibility to ensure the efficiency and effectiveness of the federation. Canadians want their governments to work together particularly in the delivery of their social programs. Provinces and territories renew their commitment to work in partnership with the Government of Canada to best serve the needs of Canadians."

The Honourable Minister of Justice and Attorney General (Mr. Decker) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Family Law Act" (Bill No. 32)

November 17th, 1997

A Bill "An Act To Amend The Human Rights Code" (Bill No. 21).

The Honourable the Government House Leader (Mr. Tulk), on behalf of the Honourable the Premier, gave notice that he would on tomorrow ask leave to introduce a Bill entitled, " An Act To Amend The Intergovernmental Affairs Act" (Bill No. 40).

The Honourable the Government House Leader, on behalf of the Honourable the Minister of Government Services and Lands (Mr. McLean), gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act Respecting The Transfer Of The Personal Trusteeship And Agency Business Of Montreal Trust Company Of Canada And Montreal Trust Company To The Bank Of Nova Scotia Trust Company" (Bill No. 24)

A Bill "An Act To Amend The Mechanics' Lien Act" (Bill No. 37)

A Bill "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38).

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Professional Fish Harvesters Act" (Bill No. 31).

The Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) gave notice that she would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Provincial Parks Act" (Bill No. 35).

The Honourable the Minister of Finance and Treasury Board gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Income Tax Act" (Bill No. 6)

A Bill "An Act To Amend The Tobacco Tax Act" (Bill No. 36)

A Bill "An Act To Amend The Memorial University Pensions Act" (Bill No. 39)

November 17th, 1997

- A Bill "An Act To Amend The Public Service Pensions Act, 1991 And The Uniformed Services Pensions Act, 1991" (Bill No. 34)
- A Bill "An Act To Establish The Labrador Transportation Initiative Fund" (Bill No. 30)
- A Bill "An Act To Amend The Teachers' Pensions Act" (Bill No. 29)
- A Bill "An Act To Amend The Financial Administration Act" (Bill No. 27)
- A Bill "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 26)
- A Bill "An Act To Amend The Retail Sales Tax Act" (Bill No. 4).

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) gave notice that he would on tomorrow move that the House resolve itself into Committee of the Whole on Supply To Consider Certain Resolutions For The Granting Of Supplementary Supply To Her Majesty (Bill No. 28).

The Honourable the Minister of Finance and Treasury Board gave notice that he would on tomorrow move that the House resolve itself into Committee of the Whole on Supply To Consider Certain Resolutions For The Granting of Supplementary Supply To Her Majesty (Bill No. 33).

The Member for Waterford Valley (Mr. Hodder) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS the Provincial Government has consistently reduced funding for municipalities in recent years, especially through drastic changes in the Municipal Operating Grant;

And WHEREAS the Provincial Government has consistently and unfairly transferred additional responsibilities to the municipalities;

And WHEREAS the Provincial Government's downloading has increased the unfunded responsibilities of the municipalities;

November 17th, 1997

And WHEREAS many municipalities, especially those in rural parts of the Province, see their tax base eroding through out migration, unemployment, business closures, etc.;

And WHEREAS the Government of Newfoundland & Labrador has through errors of omission and commission actively participated in the dismantling of rural communities, little by little, service by service;

And WHEREAS the Minister of Municipal & Provincial Affairs has stated that it will be a distant dream for rural municipalities to hope for a fair and equitable share of public resources;

And WHEREAS increasing the tax rates and/or the assessed property values in many municipalities serves only to increase the accounts payable;

And WHEREAS many municipalities are caught in financial dilemmas that has caused municipal councils to reduce services below reasonable levels;

And WHEREAS the Provincial Government has a legal, moral and political responsibility to do everything it can to preserve the integrity of local government in the Province.

THEREFORE BE IT RESOLVED that the House of Assembly oppose any further transfers of unfunded liabilities to municipalities by the Government of Newfoundland and Labrador;

BE IT FURTHER RESOLVED that the House of Assembly direct the Provincial Government to restore the integrity of the municipal level of government through a cancellation of all proposed cuts to the Municipal Operating Grants and that the Provincial Government aggressively negotiate a new municipal-provincial financial relationship that recognizes the grave and imminent threat to the integrity of municipal government in all parts of the Province but more particularly in rural Newfoundland."

The Member for Baie Verte (Mr. Shelley) presented a Petition on behalf of residents of the Communities of Pacquet and Woodstock requesting the Government of the Province to refrain from making further funding cuts to education.

November 17th, 1997

The Member for Bonavista South (Mr. Fitzgerald) presented a petition on behalf of certain residents urging the Government of the Province to delay the removal of bridges from the railway bed along the route in his District and to extend the deadline for receiving submissions regarding the future of those bridges and the railway bed.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) presented a petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

The Leader of the Opposition (Mr. Sullivan) asked leave, in accordance with Standing Order 23, to introduce a motion for the adjournment of the House to discuss a matter of urgent public importance; namely, the failure of the Government to introduce economic development in rural parts of the Province or to address key matters including health care, education, and outmigration.

After some debate, the Speaker recessed the House at 3:39 o'clock in the afternoon in order to consider the matter.


The Speaker resumed the Chair at 4:03 o'clock in the afternoon.

After reviewing the precedents of former Speaker Ottenheimer and Speaker Lamoureux of the House of Commons respecting motions for emergency debate, the Speaker ruled that the motion was not in order.

Pursuant to order and on motion debate continued on Second Reading of the Bill entitled, "An Act To Amend The Wilderness And Ecological Rescuers Act" (Bill No. 10) and on motion debate was adjourned for further debate on tomorrow.

It was moved and seconded that when the House adjourned it would adjourn until tomorrow Tuesday, November 18th at 2 o'clock in the afternoon.

On motion the House adjourned accordingly.



A. John Noel,
Clerk of the House.

Tuesday, November 18th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Environment and Labour (Mr. Langdon) made a statement respecting air quality and in particular matters relating to the Come By Chance Oil Refinery.

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) made a statement respecting the planned termination of the TAGS program in May 1998 and the need for a successor program to TAGS.

The Honourable the Minister of Health (Mrs. Aylward) made a statement to recognize Drug Awareness Week in the Province during the week of November 16th - 22nd. The Minister also announced that this year's theme is "Discover the Magic! Be Drug Free".

The Member for Bonavista South (Mr. Fitzgerald) presented a Petition on behalf of certain residents urging the Government of the Province to delay the removal of bridges from the railway bed along the route in his District and to extend the deadline for receiving submissions regarding the future of those bridges and the railway bed.

Pursuant to order and on motion the following Bills were introduced and read a first time:

- | | |
|--------|--|
| A Bill | "An Act To Amend The Intergovernmental Affairs Act"
(Bill No. 40) |
| A Bill | "An Act To Amend The Family Law Act" (Bill No. 32) |
| A Bill | "An Act To Amend The Human Rights Code" (Bill No. 21) |
| A Bill | "An Act Respecting The Transfer Of The Personal Trusteeship And Agency Business Of Montreal Trust Company Of Canada And Montreal Trust Company To The Bank Of Nova Scotia Trust Company" (Bill No. 24) |
| A Bill | "An Act To Amend The Mechanics' Lien Act" (Bill No. 37) |
| A Bill | "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38) |

November 18th, 1997

- A Bill "An Act To Amend The Professional Fish Harvesters Act" (Bill No. 31)
- A Bill "An Act To Amend The Provincial Parks Act" (Bill No. 35)
- A Bill "An Act To Amend The Income Tax Act" (Bill No. 6)
- A Bill "An Act To Amend The Tobacco Tax Act" (Bill No. 36)
- A Bill "An Act To Amend The Memorial University Pensions Act" (Bill No. 39)
- A Bill "An Act To Amend The Public Service Pensions Act, 1991 and the Uniformed Services Pensions Act, 1991" (Bill No. 34)
- A Bill "An Act To Establish The Labrador Transportation Initiative Fund" (Bill No. 30)
- A Bill "An Act To Amend The Teachers' Pensions Act" (Bill No. 29)
- A Bill "An Act To Amend The Financial Administration Act" (Bill No. 27)
- A Bill "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 26)
- A Bill "An Act To Amend The Retail Sales Tax Act" (Bill No. 4).

On motion it was ordered that the said Bills be read a second time on tomorrow.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) informed the House he had received a Message from His Honour the Lieutenant-Governor.

November 18th, 1997

The Message was read to the House by the Speaker as follows:

"November 5, 1997

The Honourable the Minister of Finance

I, the Lieutenant-Governor of the Province of Newfoundland, transmit Estimates of sums required for the Public Service of the Province for the year ending March 31, 1997, by way of Supplementary Supply and in accordance with the provisions of the **Constitution Act, 1867**, I recommend these Estimates to the House of Assembly.

A.M. House,
Lieutenant-Governor".

On motion of the Honourable the Government House Leader (Mr. Tulk), the House resolved itself into a Committee of the Whole on Supply to consider a certain Resolution and Bill No. 28 for the granting of Supplementary Supply to Her Majesty.

The Speaker left the Chair.
Mr. Penney took the Chair of Committee of Supply.

The Committee of Supply considered a certain Resolution and Bill No. 28 for the Granting of Supplementary Supply to Her Majesty.

On motion the Committee rose.

The Speaker resumed the Chair.

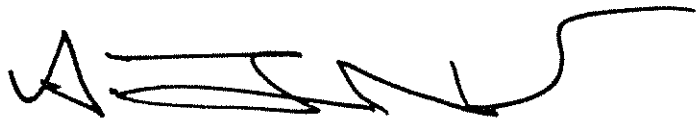
The Chairperson of the Committee reported that the Committee of Supply had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

November 18th, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow Wednesday, November 19th at 2 o'clock in the afternoon.

On motion the House then adjourned.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long, sweeping horizontal line that ends in a small upward curve.

A. John Noel,
Clerk of the House.

Wednesday, November 19th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Works, Services & Transportation (Mr. Matthews) made a statement respecting certain allegations of conflict of interest made against him by another Member.

The Honourable the Premier (Mr. Tobin) made a statement to announce that Cabinet Ministers will henceforth be required to comply with new conflict of interest guidelines in addition to those guidelines under Part II of the **House of Assembly Act**.

The Member for St. John's South (Mr. Tom Osborne) presented a Petition on behalf of certain citizens opposing the rate increase at the Newfoundland and Labrador Housing Corporation, a rate increase based on a sliding scale of income from 25% to 30%.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for Waterford Valley (Mr. Hodder):

"WHEREAS the Provincial Government has consistently reduced funding for municipalities in recent years, especially through drastic changes in the Municipal Operating Grant;

AND WHEREAS the Provincial Government has consistently and unfairly transferred additional responsibilities to the municipalities;

AND WHEREAS the Provincial Government's downloading has increased the unfunded responsibilities of the municipalities;

AND WHEREAS many municipalities, especially those in rural parts of the Province, see their tax base eroding through out migration, unemployment, business closures, etc.;

AND WHEREAS the Government of Newfoundland and Labrador has through errors of omission and commission actively participated in the dismantling of rural communities, little by little, service by service;

AND WHEREAS the Minister of Municipal and Provincial Affairs has stated that it will be a distant dream for rural municipalities to hope for a fair and equitable share of public resources;

November 19th, 1997

AND WHEREAS increasing the tax rates and/or the assessed property values in many municipalities serves only to increase the accounts payable;

AND WHEREAS many municipalities are caught in financial dilemmas that has caused municipal councils to reduce services below reasonable levels;

AND WHEREAS the Provincial Government has a legal, moral and political responsibility to do everything it can to preserve the integrity of local government in the Province;

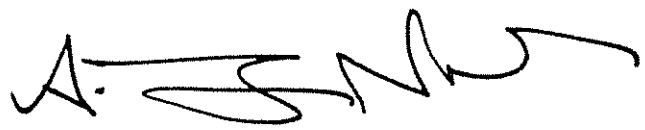
THEREFORE BE IT RESOLVED the House of Assembly oppose any further transfers of unfunded liabilities to municipalities by the Government of Newfoundland and Labrador:

AND BE IT FURTHER RESOLVED that the House of Assembly direct the Provincial Government to restore the integrity of the municipal level of government through a cancellation of all proposed cuts to the Municipal Operating Grants and that the Provincial Government aggressively negotiate a new municipal-provincial financial relationship that recognizes the grave and imminent threat to the integrity of municipal government in all parts of the Province but more particularly in rural Newfoundland."

The Speaker put the question on the Resolution and declared the Resolution defeated.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.



A. John Noel,
Clerk of the House.

Thursday, November 20th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

By leave, the Member for Labrador West (Mr. Canning), made a statement to advise Members that the Member for Burin-Placentia West (Ms. Mary Hodder) had been awarded the prestigious "Adrian Battcock Achievement Award" on October 4, 1997. The Member for Waterford Valley (Mr. Hodder) replied to the statement.

The Honourable the Minister of Human Resources and Employment (Ms. Bettney) made a statement to recognize November 20th as National Child Day in the Province and also to announce that the Government of the Province will contribute an additional \$125,000 to the Provincial School Nutrition Fund.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made a statement respecting Government's efforts to rebuild the seal fishery.

The Honourable the Minister of Forest Resources and Agrifoods (Mr. Aylward) made a statement to announce that a national award had been bestowed upon the Newfoundland and Labrador Special Olympics and to thank all those who assisted the athletes in the 1997 Law Enforcement Torch Run which raised money for the Olympics.

The Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) made a statement respecting the successful year of tourism during the Cabot 500 Anniversary Celebrations. The Minister also made note of the finale concert recently held in Corner Brook.

The Honourable the Minister of Human Resources and Employment (Ms. Bettney) made a further statement to announce a change in policy in that persons who are receiving a social assistance supplement to earnings immediately prior to a labour dispute will continue to receive this supplement during a labour dispute.

The Member for Humber East (Mr. Mercer) rose on a point of order challenging the prudence of the Member for Conception Bay South (Mr. French) with respect to referring to certain individuals during Oral Questions on November 19th. The Speaker took the matter under advisement.

The Honourable the Member for Works, Services and Transportation (Mr. Matthews) tabled Report of the **Public Tender Act** Exceptions for the months of March, April, May, June, July and August, 1997.

November 20th, 1997

The Member for Bonavista South gave notice that he would on tomorrow introduce the following Resolution:

"WHEREAS recent scientific estimates suggest that the population of harp seals currently exceeds seven million animals;

AND WHEREAS this seal population is known to feed on other fish and marine life in the ocean;

AND WHEREAS scientific research is beginning to demonstrate a link between seal populations and other marine species including cod and capelin;

AND WHEREAS a linkage between the size of seal populations and the reduction of cod stocks is readily apparent;

AND WHEREAS the livelihood of thousands of Newfoundlanders and Labradorians is being challenged by the reduction of cod and other groundfish stocks;

AND WHEREAS the seal population has long reached a size where it can sustain a greater harvest;

AND WHEREAS this industry has the potential to employ hundreds of Newfoundlanders and Labradorians who conduct the harvest in a humane fashion, utilizing the seal carcass to the fullest extent;

THEREFORE BE IT RESOLVED that the House of Assembly direct the Provincial Government to request of Ottawa an increase in the total allowable harvest of harp seals to a number that can be borne by market opportunities;

AND BE IT FURTHER RESOLVED that the House of Assembly direct the Provincial Government to speak up for those who are involved in the seal hunt and as well all Newfoundlanders and Labradorians by challenging the falsehoods put forward by the International Fund for Animal Welfare rather than passing the responsibility for protecting our interests to the Federal Government in Ottawa who have consistently failed Newfoundlanders and Labradorians in this regard."

Pursuant to order and on motion of the Government House Leader (Mr. Tulk), the House resolved itself into Committee of Supply.

The Speaker left the Chair.

November 20th, 1997

Mr. Oldford took the Chair of Committee of the Whole on Supply.

The Committee of Supply considered a certain Resolution and Bill No. 28 for the Granting of Supplementary Supply to Her Majesty.

On motion the Committee rose.

The Speaker resumed the Chair.

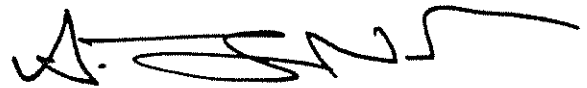
The Chairperson of the Committee reported that the Committee of Supply had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the Report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

At 4:30 o'clock pursuant to Standing Order 31, certain questions raised by Members were debated, following which pursuant to Standing Order 31, the Speaker put the question that the House do now adjourn.

The motion was carried.

The Speaker left the Chair until tomorrow, Friday, November 21st at 9 o'clock in the morning.



A. John Noel,
Clerk of the House of Assembly.

Friday, November 21st, 1997

The House met at 9 o'clock in the morning pursuant to adjournment.

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) made a statement to describe the Collective Enterprise Development Program, a new business assistance program that his department launched this October in partnership with the Newfoundland and Labrador Federation of Co-operatives.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) tabled the following:

- (a) A Special Warrant, as authorized by Order-in-Council 97-285 under Section 28(2) of the **Financial Administration Act**, for \$6,500,000 to be expended under the Municipal and Provincial Affairs Head of Expenditure;
- (b) A Special Warrant, as authorized by Order-in-Council 97-284 under Section 28(2) of the **Financial Administration Act**, for \$35,334,000 to be expended under the Works, Services and Transportation Head of Expenditure;
- (c) A Special Warrant, as authorized by Order-in-Council 97-582 under Section 28(2) of the **Financial Administration Act**, for \$1,800,000 to be expended under the Legislative Head of Expenditure;
- (d) a Special Warrant, as authorized by Order-in-Council 97-608 under Section 28(2) of the **Financial Administration Act**, for \$300,000 to be expended under the Executive Council Head of Expenditure;
- (e) a Special Warrant, as authorized by Order-in-Council 97-665 under Section 28(2) of the **Financial Administration Act**, for \$7,800,000 to be expended under the Forest Resources and Agrifoods Head of Expenditure.

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain residents urging the Government of the Province not to proceed with legislation that would tax the sale of used vehicles based on the book value of these vehicles.

November 21st, 1997

Pursuant to order and on motion of the Government House Leader (Mr. Tulk), the House resolved itself into Committee of Supply.

The Speaker left the Chair.

Mr. Penney took the Chair of Committee of the Whole on Supply.

The Committee of Supply considered a certain Resolution and Bill No. 28 for the Granting of Supplementary Supply to Her Majesty.

On motion the Committee rose.

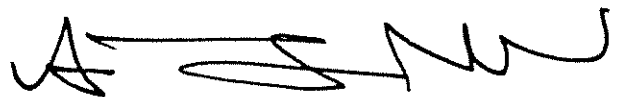
The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of Supply had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the Report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow Monday, November 24th at 2 o'clock in the afternoon.

On motion the House adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', written in a cursive style.

A. John Noel,
Clerk of the House of Assembly.

Monday, November 24th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) made a statement explaining the appearance of two Ministers of the Crown before the House of Commons Standing Committee on Fisheries and Oceans; a Committee which is investigating the impact of the expiry of TAGS on the society and economy of the Province.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made a statement respecting his recent trip to Japan where he investigated the competitive market position for snow crab.

The Honourable the Minister of Education (Mr. Grimes) made a statement respecting his appearance before the Joint Committee of the House of Commons and Senate respecting the Resolution to amend Term 17 of the Terms of Union between Canada and the Province (Education Reform).

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) gave notice that he would on tomorrow introduce the following Resolution:

"WHEREAS the collapse of the groundfishery has had a devastating impact on individuals, communities and the Province of Newfoundland and Labrador as a whole;

AND WHEREAS the Government of Canada accepted its responsibility and obligation to address this national crisis with the introduction of The Atlantic Groundfish Strategy, otherwise known as TAGS;

AND WHEREAS the responsibility to address this crisis continues to rest with the Government of Canada;

AND WHEREAS TAGS is presently scheduled to end in May of 1998;

AND WHEREAS the Federal Government has recently indicated that a recovery of the commercial groundfishery is expected to be very limited over the foreseeable future;

AND WHEREAS a successor program to TAGS is essential to address the continuing crisis in the groundfishery and the effects of that crisis on families and communities in Newfoundland and Labrador;

November 24th, 1997

AND WHEREAS the House of Commons Fisheries Committee has come to Newfoundland and Labrador to hear the views of those whose livelihoods have been devastated;

AND WHEREAS the Government of Newfoundland and Labrador has taken the unusual step of appearing before the Committee to underline the critical importance of an effective successor program to TAGS;

AND WHEREAS the media has reported that Human Resources and Development Canada is planning to engage a security consultant to assist its field staff in dealing with fish harvesters and processors leading up to and following the expiry of TAGS;

AND WHEREAS this news represents an insult to the honest, law-abiding people of Newfoundland and Labrador;

THEREFORE BE IT RESOLVED THAT this House calls upon the Honourable Pierre Pettigrew, Minister of Human Resources and Development to disown publicly the type of security strategy reported by the media; to listen to the views expressed to the Commons Fisheries Committee on the essential elements of a post-TAGS response; and to ensure that the Government of Canada's priority remains the development of an effective post-TAGS program, and not improvements to HRDC security."

The Member for Terra Nova (Mr. Lush) gave notice that he would on tomorrow introduce the following Resolution:

"WHEREAS the present Canada Student Loan Program is manifestly inadequate making the successful pursuit of a post-secondary education critically less accessible and affordable to thousands of students throughout this Province and indeed throughout Canada;

BE IT THEREFORE RESOLVED THAT this House of Assembly request both levels of government - federal and provincial - to continue expeditiously with their joint effort to immediately initiate major reform of the Canada Student Loan program with specific attention directed toward solving Canada's single most pressing problem - student indebtedness - by having reform of the present Student Loan Program designated as a high priority item at the upcoming First Ministers Conference."

November 24th, 1997

The Honourable the Minister of Health (Ms. Aylward) gave notice that she would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Registered Nurses Act" (Bill No. 42)

A Bill "An Act To Amend The Public Health Act" (Bill No. 43).

It was agreed that after the presentation of Petitions, the House would debate the Resolution earlier introduced by the Honourable the Minister of Development and Rural Renewal.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens opposing the rate increase at the Newfoundland and Labrador Housing Corporation, a rate increase based on a sliding scale of income from 25% to 30%.

By agreement of the House, pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Honourable the Minister of Development and Rural Renewal (Mr. Tulk):

"WHEREAS the collapse of the groundfishery has had a devastating impact on individuals, communities and the Province of Newfoundland and Labrador as a whole;

AND WHEREAS the Government of Canada accepted its responsibility and obligation to address this national crisis with the introduction of The Atlantic Groundfish Strategy, otherwise known as TAGS;

AND WHEREAS the responsibility to address this crisis continues to rest with the Government of Canada;

AND WHEREAS TAGS is presently scheduled to end in May of 1998;

AND WHEREAS the Federal Government has recently indicated that a recovery of the commercial groundfishery is expected to be very limited over the foreseeable future;

AND WHEREAS a successor program to TAGS is essential to address the continuing crisis in the groundfishery and the effects of that crisis on families and communities in Newfoundland and Labrador;

November 24th, 1997

AND WHEREAS the House of Commons Fisheries Committee has come to Newfoundland and Labrador to hear the views of those whose livelihoods have been devastated;

AND WHEREAS the Government of Newfoundland and Labrador has taken the unusual step of appearing before the Committee to underline the critical importance of an effective successor program to TAGS;

AND WHEREAS the media has reported that Human Resources and Development Canada is planning to engage a security consultant to assist its field staff in dealing with fish harvesters and processors leading up to and following the expiry of TAGS;

AND WHEREAS this news represents an insult to the honest, law-abiding people of Newfoundland and Labrador;

THEREFORE BE IT RESOLVED THAT this House calls upon the Honourable Pierre Pettigrew, Minister of Human Resources and Development to disown publicly the type of security strategy reported by the media; to listen to the views expressed to the Commons Fisheries Committee on the essential elements of a post-TAGS response; and to ensure that the Government of Canada's priority remains the development of an effective post-TAGS program, and not improvements to HRDC security."

The Speaker put the question on the Resolution:

The House divided.

There appeared in favour of the motion: The Hon. the Premier (Mr. Tobin), the Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Lush, Mr. Penney, Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning,

November 24th, 1997

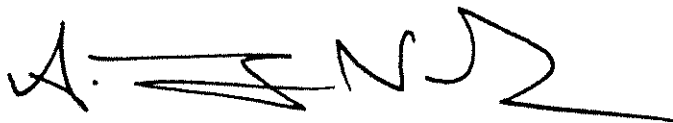
Mr. Smith, Mr. Ramsay, Ms. Hodder, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow, the Hon. the Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Ms. Sheila Osborne, Mr. Harris.

The Speaker declared the Resolution passed unanimously.

The Honourable the Government House Leader announced that the Resolution standing in the name of the Member for Terra Nova (Mr. Lush) would be debated on Private Members' Day on Wednesday.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, November 25th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal flourish extending to the right.

A. John Noel,
Clerk of the House of Assembly.

Tuesday, November 25th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made a statement respecting the International Conference on Sealing hosted by the Province under the auspices of the North Atlantic Marine Mammal Commission.

The Honourable the Minister of Forest Resources and Agrifoods (Mr. Aylward) made a statement to advise Members of the signing of the Agreement for Phase II of the Western Newfoundland Model Forest Project.

The Honourable the Minister of Government Services and Lands (Mr. McLean) made a statement respecting violations of all terrain vehicle (ATV) regulations.

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) made a statement respecting the establishment of the Newfoundland and Labrador Organization for Women Entrepreneurs.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain residents of Winterton, Trinity Bay and Springdale requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

The Member for St. John's South (Mr. Tom Osborne) presented a Petition on behalf of certain citizens opposing the rate increase at the Newfoundland and Labrador Housing Corporation, a rate increase based on a sliding scale of income from 25% to 30%.

Pursuant to order and on motion of the Government House Leader (Mr. Tulk), the House resolved itself into Committee of Supply.

The Speaker left the Chair.

Mr. Penney took the Chair of Committee of the Whole on Supply.

The Committee of Supply considered and passed a certain Resolution and a Bill entitled, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 1997 And For Other Purposes Relating To The Public Service" (Bill No. 28).

November 25th, 1997

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairman of the Committee reported that the Committee of Supply had considered the matters to it referred and had passed a certain Resolution and a Bill consequent hereto and recommended that Bill No. 28 be introduced to give effect to same.

Pursuant to order and on motion the following Resolution was read a first and second time:

"That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain expenses of the Public Service for the financial year ending March 31, 1997, the sum of \$75,700,000."

Pursuant to order and on motion a Bill entitled, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 1997 And For Other Purposes Relating To The Public Services" (Bill No. 28) was read a first, second and third time and passed.

On motion it was ordered that Bill No. 28 be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

The Honourable the Government House Leader (Mr. Tulk), on behalf of the Honourable the Minister of Finance and Treasury Board (Mr. Dicks), informed the House that the Minister had received a Message from His Honour the Lieutenant-Governor.

The Message was read to the House by the Speaker as follows:

"November 5, 1997

The Honourable the Minister of Finance

I, the Lieutenant-Governor of the Province of Newfoundland, transmit Estimates of sums required for the Public Service of the Province for the year ending March 31, 1998, by way of Supplementary Supply and in accordance

November 25th, 1997

with the provisions of the **Constitution Act, 1867**, I recommend these Estimates to the House of Assembly.

A.M. House
Lieutenant-Governor"

On motion of the Honourable the Government House Leader (Mr. Tulk), the House resolved itself into a Committee of the Whole on Supply to consider a certain Resolution and Bill No. 33 for the granting of Supplementary Supply to Her Majesty.

The Speaker left the Chair.
Mr. Penney took the Chair of Committee of Supply.

The Committee of Supply considered a certain Resolution and Bill No. 33 for the Granting of Supplementary Supply to Her Majesty.

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of Supply had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow Wednesday, November 26th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal line extending to the right.

A. John Noel,
Clerk of the House of Assembly.

Wednesday, November 26th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Leader of the Opposition (Mr. Sullivan) raised a Point of Privilege alleging that the Minister of Health (Ms. Aylward) had made certain statements on Tuesday in the House that were untrue.

The Speaker took the matter under advisement.

The Honourable the Minister of Health (Ms. Aylward) made a statement respecting the status of health care in the Province and the current funding of the health care system.

The Honourable the Minister of Environment and Labour (Mr. Langdon) made a statement to provide a status report on Government's review of the Workers' Compensation Statutory Review Committee Report as required under the **Workers' Compensation Act**.

The Honourable the Minister of Health (Ms. Aylward) gave notice that she might raise a Point of Privilege after she reviewed the Hansard of today.

By leave, the Member for Kilbride (Mr. E. Byrne) presented a Petition on behalf of certain injured workers and their families urging the Government to implement the recommendations of the Statutory Review Committee on Workers' Compensation immediately. The Member also asked and received leave to distribute letters to individual Members of the House with respect to the Petition.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for Terra Nova (Mr. Lush):

"WHEREAS the present Canada Student Loan Program is manifestly inadequate making the successful pursuit of a post-secondary education critically less accessible and affordable to thousands of students throughout this Province and indeed throughout Canada;

November 26th, 1997

BE IT THEREFORE RESOLVED THAT this House of Assembly request both levels of government - federal and provincial - to continue expeditiously with their joint effort to immediately initiate major reform of the Canada Student Loan program with specific attention directed toward solving Canada's single most pressing problem - student indebtedness - by having reform of the present Student Loan Program designated as a high priority item at the upcoming First Ministers Conference."

The Speaker put the question on the Resolution:

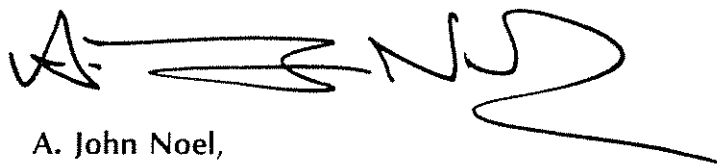
The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. C. Furey), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Walsh, the Hon. the Minister of Finance & Treasury Board (Mr. Dicks), the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Lush, Mr. Oldford, Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Mercer, Ms. Thistle, Mr. Sparrow, Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Ms. Sheila Osborne, Mr. Harris, Ms. Jones.

The Speaker declared the Resolution passed unanimously.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, November 27th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.



A. John Noel,
Clerk of the House of Assembly.

Thursday, November 27th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Speaker ruled on a Point of Privilege raised by the Leader of the Opposition on November 26th relating to certain statements made by the Honourable the Minister of Health (Ms. Aylward). The Speaker ruled that there was no **prima facie** case of privilege.

The Honourable the Minister of Health (Ms. Aylward) made a statement respecting the Krever Report on the Commission of Enquiry into the Blood System in Canada.

The Honourable the Minister of Government Services and Lands (Mr. McLean) made a statement to announce the establishment of a dedicated fund for the construction of the Trans-Labrador Highway and the maintenance of ferry services in Labrador. The fund will be known as the Labrador Transportation Initiative Fund.

The Member for Humber Valley (Mr. Woodford) tabled an Interim Report of the Select Committee on Property and Casualty Insurance seeking an extension to the reporting deadline of the Select Committee to March 31st 1998.

On motion the Report was received.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) tabled a copy of Order-in-Council 97-728 which relates to certain pre-commitments of funds authorized under Section 26(4) of the **Financial Administration Act** for \$74,500,000 to be expended under the Department of Works, Services & Transportation Head of Expenditure.

The Honourable the Speaker (Mr. Snow), in accordance with Section 32 of the **Auditor General Act**, tabled the auditor's report and financial information of the Office of the Auditor General for the fiscal year ended March 31st, 1997.

By leave, the Government House Leader (Mr. Tulk) moved that the House adopt the Interim Report of the Select Committee on Property and Casualty Insurance.

The Speaker put the question on the motion and declared the motion carried.

November 27th, 1997

The Member for Bonavista South (Mr. Fitzgerald) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS the Newfoundland and Labrador agriculture industry comprises 720 farm units with assets whose capital value is in excess of \$176 million and with annual cash receipts of more than \$71 million, and is of critical importance to our Province and to the many people and communities who depend on it;

AND WHEREAS moose in this Province, whose population is regulated and whose numbers are protected under provincial law and now exceed 200,000 animals, have done damage to many farms in the Province serious enough to threaten the annual harvests and integrity of these farms;

AND WHEREAS the provincial wildlife and inland fisheries industry is estimated to contribute over \$200 million annually to the Province's economy, and 30,000 moose licenses return approximately \$1.5 million a year to the provincial treasury;

AND WHEREAS it is reasonable and appropriate that farmers be compensated by the provincial government for losses they incur as a result of the actions of moose whose numbers are protected by the provincial government;

THEREFORE BE IT RESOLVED THAT the House of Assembly urge the provincial government to consider immediately implementing a program whereby the provincial government will compensate farmers for losses they incur as a result of damage done to their farms and crops by moose."

The Member for Labrador West (Mr. Canning) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS many people throughout Newfoundland and Labrador rely on air travel;

AND WHEREAS airline fares are exorbitant and continuing to rise dramatically driving air travel out of reach to the ordinary citizen. High travel costs tend to reduce accessibility to secondary and tertiary health care, it creates another financial challenge for post-secondary students and has a direct negative impact on our tourism growth potential;

November 27th, 1997

THEREFORE BE IT RESOLVED that this Honourable House recommend that appropriate agencies of the Government of Canada undertake an immediate review of the airline industry with particular focus on large geographic, sparsely populated regions of our country such as Newfoundland and Labrador and recommend public policy that seeks to reduce the financial burden being placed on our flying public."

The Member for Waterford Valley (Mr. Hodder) gave notice that he would on tomorrow move the following Resolution:

"**WHEREAS** the primary focus of Marine Atlantic's activities today are the provision of the Gulf ferry service between Port Aux Basques and North Sydney;

AND WHEREAS the community of Channel-Port Aux Basques has acted as the gateway to and from the Island of Newfoundland for years;

AND WHEREAS the closure of the railway and the shift to containers has had a dramatic effect on the economy of the area;

AND WHEREAS the management of Marine Atlantic is considering the transfer of their headquarters to a location other than Moncton;

THEREFORE BE IT RESOLVED that the House of Assembly support the request of the Town and the people of Channel-Port Aux Basques that the headquarters for Marine Atlantic be located in Channel-Port Aux Basques;

AND BE IT FURTHER RESOLVED that the House of Assembly object to anything less than the headquarters for Channel - Port Aux Basques, given that the management of Marine Atlantic have an aversion to relocating their offices, and themselves, to rural Newfoundland."

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens opposing the rate increase at the Newfoundland and Labrador Housing Corporation, a rate increase based on a sliding scale of income from 25% to 30%.

The Member for Labrador West (Mr. Canning) presented a Petition on behalf of citizens of Labrador West demanding that the Government of Newfoundland and Labrador establish a new school board for the governance of all schools located in Labrador West.

November 27th, 1997

It was agreed that the Resolution standing in the name of the Member for Waterford Valley (Mr. Hodder), notice of which was given earlier would be first called under Orders of the Day. It was also agreed that the debate be limited to two Members of the Official Opposition, two Members from the Government side and the Member from Signal Hill-Quidi Vidi (Mr. Harris) who would each speak for approximately five minutes.

Pursuant to order and on motion debate commenced on the following Resolution standing in the name of the Member for Waterford Valley:

"WHEREAS the primary focus of Marine Atlantic's activities today are the provision of the Gulf ferry service between Port Aux Basques and North Sydney;

AND WHEREAS the community of Channel-Port Aux Basques has acted as the gateway to and from the Island of Newfoundland for years;

AND WHEREAS the closure of the railway and the shift to containers has had a dramatic effect on the economy of the area;

AND WHEREAS the management of Marine Atlantic is considering the transfer of their headquarters to a location other than Moncton;

THEREFORE BE IT RESOLVED that the House of Assembly support the request of the Town and the people of Channel-Port Aux Basques that the headquarters for Marine Atlantic be located in Channel-Port Aux Basques;

AND BE IT FURTHER RESOLVED that the House of Assembly object to anything less than the headquarters for Channel - Port Aux Basques, given that the management of Marine Atlantic have an aversion to relocating their offices, and themselves, to rural Newfoundland."

The Member for Signal Hill-Quidi Vidi (Mr. Harris) moved, seconded by the Member for LaPoile (Mr. Ramsay) the following amendment:

"That the word "for" after the word headquarters in the first resolve be deleted and replaced by the words "and all management personnel of".

After some debate, the Speaker put the question on the amendment to the Resolution:

The House divided.

November 27th, 1997

There appeared in favour of the amendment: The Hon. the Premier (Mr. Tobin), the Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Flight, Mr. Walsh, Mr. Lush, Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Reid, Ms. Thistle, Mr. Sparrow, the Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Ottenheimer, Mr. French, Mr. Harris, Ms. Jones.

Against: Mr. Tom Osborne, Ms. Sheila Osborne.

The Speaker declared the amendment carried.

The Speaker put the question on the Resolution, as amended.

The House divided.

There appeared in favour of the Resolution as amended: the Hon. the Premier (Mr. Tobin), the Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Flight, Mr. Walsh, the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Lush, Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Reid, Ms. Thistle, Mr. Sparrow, the Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Ottenheimer, Mr. French, Mr. Harris, Ms. Jones.

November 27th, 1997

Against: Mr. Tom Osborne, Ms. Sheila Osborne.

The Speaker declared the Resolution, as amended, carried.

Pursuant to order and on motion the following Bills were introduced and read a first time:

A Bill "An Act To Amend The Registered Nurses Act" (Bill No. 42).

A Bill "An Act To Amend The Public Health At" (Bill No. 43).

On motion it was ordered that the said Bills be now read a second time on tomorrow.

Pursuant to order and on motion of the Government House Leader (Mr. Tulk), the House resolved itself into a Committee of Supply.

The Speaker left the Chair.

Mr. Oldford took the Chair of Committee of the Whole on Supply.

The Committee of Supply considered a certain Resolution and Bill No. 33 for the Granting of Supplementary Supply to Her Majesty.

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of Supply had considered the matters to it referred, had made some progress and asked leave to sit again.

On motion the report of the Committee of Supply was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

November 27th, 1997

At 4:30 o'clock pursuant to Standing Order 31, certain questions raised by Members were debated, following which pursuant to Standing Order 31, the Speaker put the question that the House do now adjourn.

The motion was carried.

The Speaker left the Chair until tomorrow Friday, November 28th at 9 o'clock in the morning.

A. John Noel,
Clerk of the House of Assembly.

Friday, November 28th, 1997

The House met at 9 o'clock in the morning pursuant to adjournment.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) made a statement to announce that Government had decided to re-examine the current firearms policy of the Royal Newfoundland Constabulary.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) made a further statement to officially launch the 1997 White Ribbon Campaign with respect to non-violence against women.

The Honourable the Premier (Mr. Tobin) made a statement respecting the deceitful activities of the IFAW during the recent International Conference on Sealing.

Various points of order were raised.

The Speaker ruled that the government is not obligated to answer questions placed on the Order Paper. The Speaker also reminded Members of matters relating to decorum under Standing Order 11.

Pursuant to order and on motion of the Honourable the Government House Leader (Mr. Tulk), the House resolved itself into Committee of Supply.

The Speaker left the Chair.

Mr. Oldford took the Chair of Committee of the Whole on Supply.

The Committee of Supply considered and passed a certain Resolution and a Bill entitled, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 1998 And For Other Purposes Relating To The Public Service" (Bill No. 33).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairman of the Committee reported that the Committee of Supply had considered the matters to it referred and had passed a certain Resolution and a Bill consequent hereto and recommended that Bill No. 33 be introduced to give effect to same.

November 28th, 1997

Pursuant to order and on motion the following Resolution was read a first and second time:

"That it is expedient to introduce a measure to provide for the granting to Her Majesty for defraying certain additional expenses of the Public Service for the financial year ending March 31, 1998, sums not exceeding \$353,000,000."

Pursuant to order and on motion a Bill entitled, "An Act For The Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 1998 And For Other Purposes Relating To The Public Service" (Bill No. 33) was read a first, second and third time and passed.

On motion it was ordered that Bill No. 33 be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Mechanics' Lien Act" (Bill No. 37) and on motion it was ordered that Bill No. 37 be read a second time presently.

On motion the Bill entitled "An Act To Amend The Mechanics' Lien Act" (Bill No. 37) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced on Second Reading of the Bill entitled, "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38) and on motion debate was adjourned for further debate on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, December 1st at 2 o'clock in the afternoon.

On motion the House adjourned accordingly.



A. John Noel,
Clerk of the House of Assembly.

Monday, December 1st, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Mines & Energy (Mr. Furey) made a statement respecting the implementation of an Emergency Response Plan on the Hibernia Platform following the discovery of a gas leak in the utility shaft on the Platform yesterday.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) made a statement to announce that Government had decided to hold public consultations through a Select Committee of the House with respect to the arming policy of the Royal Newfoundland Constabulary.

The Honourable the Minister of Health (Ms. Aylward) made a statement to recognize December 1st as World AIDS Day in the Province and around the world.

The Honourable the Minister of Industry Trade & Technology (Ms. Foote) made a statement to advise Members of the success of her recent trade mission to Iceland and Ireland.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) tabled the Annual Report and audited financial statements of the Newfoundland and Labrador Housing Corporation for the fiscal year ended March 31, 1996.

The Honourable the Minister of Health (Ms. Aylward) tabled the Annual Report and audited financial statements of the Newfoundland Medical Care Commission for the year ended March 31, 1997.

The Honourable the Minister of Works, Services & Transportation (Mr. Matthews) tabled the Report of **Public Tender Act** exceptions for the month of September, 1997.

The Honourable the Minister of Justice and Attorney General (Mr. Decker) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45)

A Bill "An Act To Amend The Provincial Court Act, 1991" (Bill No. 47)

December 1st, 1997

A Bill "An Act To Amend The Judgment Enforcement Act" (Bill No. 46).

The Honourable the Minister of Health (Ms. Aylward) gave notice that she would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Nursing Assistants Act" (Bill No. 25).

The Member for Baie Verte (Mr. Shelley) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS the sealing industry in Newfoundland and Labrador is an important and integral part of the economy of rural Newfoundland and Labrador;

AND WHEREAS seals are consuming an estimated 800,000 tonnes of capelin, 100,000 tonnes of small cod and countless other quantities of fish per year;

AND WHEREAS coastal and native people have an historical attachment to the seal resource that has become part of their culture;

AND WHEREAS the sealing industry has the potential to grow in importance as new markets for seal products are identified;

AND WHEREAS the people who are involved in the seal hunt utilize humane harvesting methods and the seal carcass to the fullest extent;

AND WHEREAS the people of this Province have been inaccurately portrayed as barbaric in recent anti-sealing propaganda prepared by the International Fund for Animal Welfare;

THEREFORE BE IT RESOLVED that the House of Assembly condemn the actions of the IFAW and those who would support their misrepresentation of the nature of the seal industry;

AND BE IT FURTHER RESOLVED that the House of Assembly reject these misrepresentations and act collectively to dispel the notion that the seal hunt is a cruel and unnecessary part of our rural economy and;

December 1st, 1997

BE IT FURTHER RESOLVED that the Provincial and Federal Governments act together in a joint effort to repudiate these misrepresentations of the seal industry by developing a promotional campaign directed toward the general public that explains the true nature of the Province's sealing industry."

In reply to a question for which notice had been given, the Honourable the Minister of Development & Rural Renewal (Mr. Tulk) gave an answer with respect to restructuring regional and rural development boards and the direct rural and regional development interventions with the private sector, community and government partners.

In reply to Question No. 8 as asked by the Member for Waterford Valley (Mr. Hodder) and printed in the November 17, 1997 edition of the Order Paper, the Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) tabled an answer respecting the sale of Elizabeth Towers.

The Member for St. John's South (Mr. Osborne) presented a Petition on behalf of certain citizens opposing the rate increase at the Newfoundland and Labrador Housing Corporation, a rate increase based on a sliding scale of income from 25% to 30%.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled "An Act To Amend The Registered Nurses Act" (Bill No. 42) and on motion it was ordered that Bill No. 42 be read a second time presently.

On motion the Bill entitled "An Act To Amend The Registered Nurses Act" (Bill No. 42) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled "An Act To Amend The Public Health Act" (Bill No. 43) and on motion it was ordered that Bill No. 43 be read a second time presently.

On motion the Bill entitled "An Act To Amend The Public Health Act" (Bill No. 43) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

December 1st, 1997

Pursuant to order and on motion debate continued and concluded on Second Reading of the Bill entitled "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38) and on motion it was ordered that Bill No. 38 be read a second time presently.

On motion the Bill entitled "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, December 2nd at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.

A handwritten signature in black ink, appearing to read "A. John Noel". The signature is stylized with a large initial "A" and a long horizontal stroke.

A. John Noel,
Clerk of the House of Assembly.

Tuesday, December 2nd, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

By leave, the Member for Burgeo & LaPoile (Mr. Ramsay) made a statement to congratulate the St. James Elementary School in Port aux Basques on the occasion of being awarded an "Earth School" designation by Seeds Canada Foundation. The Member for St. John's South (Mr. Tom Osborne) spoke in agreement with the statement. The House agreed that the Speaker would send a letter of congratulations to the school on behalf of all Members of the House.

The Honourable the Premier (Mr. Tobin) made a statement to mark the passing of Mr. Thomas Vincent Curran founder of the Newfoundland Overseas Foresters Association and former Manager of the Province's seal hunt for the Federal Department of Fisheries & Oceans. The Leader of the Opposition (Mr. Sullivan) spoke in agreement with the statement. The House agreed that the Speaker would send a letter of condolence to the family of the late Mr. Curran on behalf of all Members of the House.

The Honourable the Minister of Education (Mr. Grimes) made a statement to announce the expansion of the **Learn not to Burn Program** in all Kindergarten to Grade II classrooms throughout the Province.

The Honourable the Minister of Works, Services & Transportation (Mr. Matthews) made a statement to announce Government's plans to call early tenders for new projects funded under the Labrador Transportation Initiative Fund for the 1998/1999 construction season.

The Member for Kilbride (Mr. Edward Byrne), as Chairperson of the Public Accounts Committee and in accordance with the **Auditor General Act**, tabled a Report of the Auditor General with respect to a Review of the Financial Affairs of the Newfoundland Cancer Treatment and Research Foundation.

The Honourable the Minister of Human Resources and Employment (Ms. Bettney) tabled:

- (a) the Financial & Statistical Report of the Division of Family and Rehabilitation Services of the Department of Human Resources and Employment for the fiscal year ended March 31, 1997; and
- (b) the Report of the Income Support Program under Section 5 of the **Social Assistance Act** for the fiscal year ended March 31, 1997.

December 2nd, 1997

The Honourable the Government House Leader (Mr. Tulk) gave notice that he would presently, by leave, move -

"That a Select Committee of this House be constituted to inquire into and report upon the arming policy of the Royal Newfoundland Constabulary and that this Select Committee comprise the Member for Topsail, the Member for St. John's East, the Member for Labrador West, the Member for Humber East and the Member for Conception Bay South.

That this Committee be authorized to send for persons and papers, to sit in Session and out, and to sit from place to place throughout Newfoundland and Labrador.

And that this Committee report to the House by March 31, 1998."

By leave, the Government House Leader moved the motion.

The Speaker put the question on the motion and declared the motion carried.

In reply to a question for which notice had been given, the Honourable the Minister of Finance and Treasury Board (Mr. Dicks) gave an answer with respect to an analysis and study of the private sale of used vehicles as prepared by the Department of Finance.

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain residents urging the Government of the Province not to proceed with legislation that would tax the sale of used vehicles based on the book value of these vehicles.

The Member for St. John's South (Mr. Tom Osborne) presented a Petition on behalf of certain citizens opposing the rate increase at the Newfoundland and Labrador Housing Corporation, a rate increase based on a sliding scale of income from 25% to 30%.

The Opposition House Leader (Mr. Hodder) announced that the Resolution standing in the name of the Member for Baie Verte (Mr. Shelley) would be debated on Private Members' Day on Wednesday.

December 2nd, 1997

Pursuant to order and on motion the following Bills were introduced and read a first time:

A Bill "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45).

A Bill "An Act To Amend The Judgment Enforcement Act" (Bill No. 46).

A Bill "An Act To Amend The Provincial Court Act, 1991" (Bill No. 47).

A Bill "An Act To Amend The Nursing Assistants Act" (Bill No. 25).

On motion it was ordered that Bills No. 45, 46, 47 and 25 be read a second time on tomorrow.

The Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon.

The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion debate commenced on the following Resolution standing in the name of the Honourable the Premier (Mr. Tobin):

"WHEREAS all Members of the Newfoundland and Labrador House of Assembly wish to underscore and emphasize their strong commitment to the unity of Canada;

AND WHEREAS Canada's federalist Premiers and Territorial Leaders met in Calgary on September 14, 1997 and agreed on a Framework for Discussion on Canadian Unity;

AND WHEREAS Members of this House have consulted Newfoundlanders and Labradorians on this Framework and have found that citizens of the Province have a strong commitment to Canada and to the importance of Quebec's place within Canada;

AND WHEREAS Newfoundlanders and Labradorians are committed to the prosperity, vitality and well-being of Canada;

December 2nd, 1997

AND WHEREAS Newfoundlanders and Labradorians are supportive of reforming the Canadian federation so as to strengthen and improve the ability of the federal and provincial governments to work together for the benefit of all Canadians;

THEREFORE BE IT RESOLVED that the House of Assembly of Newfoundland and Labrador, on behalf of the citizens of our Province, endorses the Calgary Declaration as follows:

- All Canadians are equal and have rights protected by law.
- All provinces, while diverse in their characteristics, have equality of status.
- Canada is graced by a diversity, tolerance, compassion and an equality of opportunity that is without rival in the world.
- Canada's gift of diversity includes Aboriginal peoples and cultures, the vitality of the English and French languages and a multicultural citizenry drawn from all parts of the world.
- In Canada's federal system, where respect for diversity and equality underlies unity, the unique character of Quebec society, including its French speaking majority, its culture and its tradition of civil law, is fundamental to the well being of Canada. Consequently, the legislature and Government of Quebec have a role to protect and develop the unique character of Quebec society within Canada.
- If any future constitutional amendment confers powers on one province, these powers must be available to all provinces.
- Canada is a federal system where federal, provincial and territorial governments work in partnership while respecting each other's jurisdictions. Canadians want their governments to work cooperatively and with flexibility to ensure their efficiency and effectiveness of the federation. Canadians want their governments to work together particularly in the delivery of their social programs. Provinces and territories renew their commitment to work in partnership with the Government of Canada to best serve the needs of Canadians."

December 2nd, 1997

The Honourable the Premier moved the following amendment:

"That the words "gift of" in the 4th Calgary Declaration be deleted."

After some debate, the Speaker put the question on the amendment to the Resolution.

The Speaker declared the amendment to the Resolution carried unanimously.

The Speaker put the question on the Resolution, as amended.

The Speaker declared the Resolution, as amended, carried unanimously.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act Respecting The Transfer Of The Personal Trusteeship And Agency Business Of Montreal Trust Company Of Canada And Montreal Trust Company To The Bank Of Nova Scotia Trust Company" (Bill No. 24) and on motion it was ordered that Bill No. 24 be read a second time presently.

On motion the Bill entitled "An Act Respecting The Transfer Of The Personal Trusteeship And Agency Business Of Montreal Trust Company Of Canada And Montreal Trust Company To The Bank Of Nova Scotia Trust Company" (Bill No. 24) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

The Member for Bonavista South (Mr. Fitzgerald) asked leave to move that his motion respecting the seal fishery, printed as motion No. 7 on the Order Paper of Wednesday November 26th, be withdrawn from the Order Paper.

The Speaker put the question on the motion that the said Motion No. 7 be withdrawn and declared the motion carried.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Establish The Labrador Transportation Initiative Fund" (Bill No. 30) and on motion it was ordered that Bill No. 30 be read a second time presently.

December 2nd, 1997

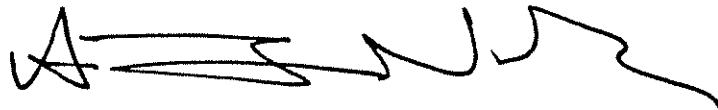
On motion the Bill entitled "An Act To Establish The Labrador Transportation Initiative Fund" (Bill No. 30) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Human Rights Code" (Bill No. 21) and on motion it was ordered that Bill No. 21 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Human Rights Code" (Bill No. 21) was read a second time and on motion it was ordered that said Bill be referred to a Committee of the Whole House on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Wednesday, December 3rd, 1997 at 2 o'clock in the afternoon.

On motion the House then adjourned at 5:14 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal stroke extending to the right.

A. John Noel
Clerk of the House of Assembly

Wednesday, December 3rd, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

By leave, the Honourable the Premier (Mr. Tobin) moved, seconded by the Leader of the Opposition (Mr. Sullivan), the following Resolution:

"WHEREAS the use of anti-personnel landmines has caused untold harm to innocent people in countries that have been torn by war;

AND WHEREAS the issue of banning the use of such landmines has gained world-wide attention;

AND WHEREAS Canada is this week hosting an international conference of the Heads of State of over 100 countries;

AND WHEREAS more than 100 countries are expected to sign a landmark treaty aimed at implementing a Global Ban on Landmines;

AND WHEREAS Canada has been the leading proponent among those countries;

THEREFORE BE IT RESOLVED that this House unanimously endorse Canada's leadership and position in bringing about the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction. We urge all other nations of the world to follow suit."

The Speaker put the question on the Resolution and declared the Resolution carried unanimously.

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) made a statement to thank the Members of the House of Commons' Fisheries Committee for taking the time to come to the Province in order to hear from the people most profoundly affected by the closure of the ground fishery.

The Honourable the Speaker (Mr. Snow), in accordance with section 237(3) of the **Election Act**, tabled the Report on Election Finances for the period January 1, 1996 to December 31, 1996.

December 3rd, 1997

The Member for Kilbride (Mr. Ed Byrne) presented a Petition on behalf of certain residents urging the Government of the Province not to proceed with legislation that would tax the sale of used vehicles based on the book value of these vehicles.

The Member for St. John's South (Mr. Tom Osborne) presented a Petition on behalf of certain citizens opposing the rate increase at the Newfoundland and Labrador Housing Corporation, a rate increase based on a sliding scale of income from 25% to 30%.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for Baie Verte (Mr. Shelley):

"WHEREAS the sealing industry in Newfoundland and Labrador is an important and integral part of the economy of rural Newfoundland and Labrador;

AND WHEREAS seals are consuming an estimated 800,000 tonnes of capelin, 100,000 tonnes of small cod and countless other quantities of fish per year;

AND WHEREAS coastal and native people have an historical attachment to the seal resource that has become part of their culture;

AND WHEREAS the sealing industry has the potential to grow in importance as new markets for seal products are identified;

AND WHEREAS the people who are involved in the seal hunt utilize humane harvesting methods and the seal carcass to the fullest extent;

AND WHEREAS the people of the Province have been inaccurately portrayed as barbaric in recent anti-sealing propaganda prepared by the International Fund for Animal Welfare;

THEREFORE BE IT RESOLVED that the House of Assembly condemn the actions of the IFAW and those who would support their misrepresentations of the nature of the seal industry;

Thursday, December 4th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Environment and Labour (Mr. Langdon) made a statement respecting the adequate measures that are in place to address the potential for an environmental emergency such as an oil spill, which might occur as a result of offshore oil production activity. The Minister referred to the establishment of the Eastern Canada Response Corporation.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) made a statement to announce that Government had authorized Newfoundland and Labrador Housing Corporation to reduce the amount of the planned increase by changing the household income threshold at which rental increase would be implemented.

The Honourable the Minister of Forest Resources and Agrifoods (Mr. Aylward) made a statement to announce that the Government had issued a commercial caribou licence in Labrador to Uncle Sam's Butcher Shop in Goose Bay as an experimental measure.

The Honourable the Government House Leader (Mr. Tulk) made a statement of clarification in response to today's **Evening Telegram** editorial with respect to the arming policy of the Royal Newfoundland Constabulary. The Minister noted for the record that the House of Assembly had already adopted a motion to appoint a Select Committee to investigate the arming policy of the Constabulary.

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain residents urging the Government of the Province not to proceed with legislation that would tax the sale of used vehicles based on the book value of these vehicles.

The Honourable the Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon.

The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Intergovernmental Affairs Act" (Bill No. 40) and on motion it was ordered that Bill No. 40 be read a second time presently.

December 4th, 1997

On motion the Bill entitled, "An Act To Amend The Intergovernmental Affairs Act" (Bill No. 40) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Income Tax Act" (Bill No. 6) and on motion it was ordered that Bill No. 6 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Income Tax Act" (Bill No. 6) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

The Speaker (Mr. Penney) took the matter of Private Members tabling information under advisement but later ruled on the matter by directing the attention of Members to paragraph 418 of Beauchesne.

By leave, it was agreed to dispense with the adjournment motion under Standing Order 31.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Tobacco Tax Act" (Bill No. 36) and on motion it was ordered that Bill No. 36 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Financial Tobacco Tax Act" (Bill No. 36) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

It was agreed to stop the clock in order to complete Second Reading of Bill No. 27.

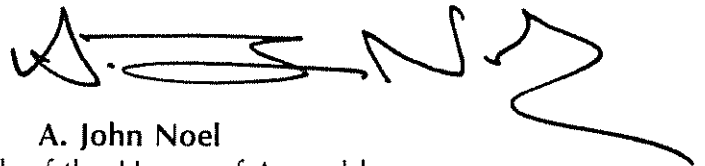
Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Financial Administration Act" (Bill No. 27) and on motion it was ordered that Bill No. 27 be read a second time presently.

December 4th, 1997

On motion the Bill entitled, "An Act To Amend The Financial Administration Act" (Bill No. 27) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Friday, December 5th at 9 o'clock in the morning.

On motion the House then adjourned at 5:05 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long, sweeping flourish extending to the right.

A. John Noel
Clerk of the House of Assembly

Friday, December 5th, 1997

The House met at 9 o'clock in the morning pursuant to adjournment.

The Honourable the Minister of Human Resources and Employment (Ms. Bettney), in her capacity as Minister Responsible for the Status of Women, made a statement to recognize the National Day of Remembrance and Action on Violence Against Women and the anniversary of the murder of fourteen women at Montreal's École Polytechnic Engineering School. The Minister also announced that the Government of the Province will provide a Multi-departmental Agreement to fund core services for Women's Centres.

The Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) made a statement to announce that a Memorandum of Understanding had been signed by the Newfoundland T'Railway Council and the Department of Tourism, Culture and Recreation.

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) made a statement to announce Government's support for the development of a new winter tourism destination product, a groomed snowmobile trail system in the Province.

The Honourable the Minister of Human Resources and Employment (Ms. Bettney), in her capacity as Minister Responsible for the Status of Women, tabled the Provincial Strategy Against Violence - Status Update for December, 1997.

The Honourable Minister of Finance and Treasury Board (Mr. Dicks), on behalf of the Honourable the Minister of Justice and Attorney General (Mr. Decker), gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Public Utilities Act" (Bill No. 44).

The Honourable the Minister of Environment and Labour (Mr. Langdon) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48)

A Bill "An Act To Amend The Environmental Assessment Act" (Bill No. 49)

December 5th, 1997

A Bill "An Act To Amend The Workers' Compensation Act" (Bill No. 50).

The Member for Cape St. Francis (Mr. Jack Byrne) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS the previous administration used its power to legislate against public sector collective agreements that included wage increases and, in so doing, incurred the condemnation of the International Labour Organization and muddied the international reputation of the Government of Newfoundland and Labrador for honouring its commitments and fairly compensating its employees;

AND WHEREAS provincial public employees in Newfoundland and Labrador, who have not had a raise in pay in about eight years despite rises in the cost of living, deserve fair and reasonable pay for the work they do;

AND WHEREAS the Premier and his Ministers are entering into a period of collective bargaining with public employees, and are doing so against a backdrop of statements about economic growth projections and commitments to allow civil servants to enjoy the benefits of revenue growth;

AND WHEREAS it would only magnify the hurt of our public employees and further damage our Province's reputation if the Premier and his Government were to break promises and signed collective agreements with public employees;

THEREFORE BE IT RESOLVED that this Honourable House urge the Government of Newfoundland and Labrador to negotiate in good faith with provincial public employees and to honour in full whatever commitments it makes to its employees, including any commitments to provide its employees with long-overdue increases in wages."

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Professional Fish Harvesters Act" (Bill No. 31) and on motion it was ordered that Bill No. 31 be read a second time presently.

December 5th, 1997

On motion the Bill entitled, "An Act To Amend The Professional Fish Harvesters Act" (Bill No. 31) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole on tomorrow.

The Honourable the Government House Leader (Mr. Tulk) moved that the House resolve itself into Committee of the Whole House.

Mr. Speaker left the Chair.

Mr. Penney took the Chair of Committee.

The Committee considered and passed the Bill entitled "An Act To Amend The Income Tax Act" (Bill No. 6).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of the Whole House had considered the matter to it referred and had passed the Bill entitled "An Act To Amend The Income Tax Act" (Bill No. 6) without amendment and asked leave to sit again.

On motion the Report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again.

Pursuant to order and on motion the Bill entitled "An Act To Amend The Income Tax Act" (Bill No. 6) was read a third time and passed and on motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Provincial Parks Act" (Bill No. 35) and on motion it was ordered that Bill No. 35 be read a second time presently.

On motion the Bill entitled, "An Act To Amend the Provincial Parks Act" (Bill No. 35) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

December 5th, 1997

It was agreed to stop the clock at 12 Noon for a few minutes in order to finish second reading of Bill No. 29.

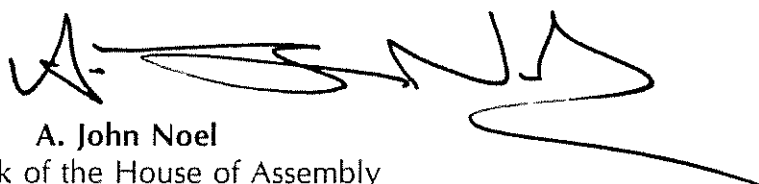
Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Teachers' Pensions Act" (Bill No. 29) and on motion it was ordered that Bill No. 29 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Teachers' Pensions Act" (Bill No. 29) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

It was agreed that instead of His Honour the Lieutenant-Governor attending to the Royal Assent Ceremony in the Chamber, the Honourable the Speaker and the Clerk of the House would visit Government House in the afternoon in order to receive the Royal Assent of Bill No. 6.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, December 8th at 2 o'clock in the afternoon.

On motion the House then adjourned at 12:05 o'clock in the afternoon.



A. John Noel
Clerk of the House of Assembly

December 5th, 1997

On Friday, December 5th at 1:45 o'clock in the afternoon, the Honourable the Speaker and the Clerk of the House attended upon His Honour the Lieutenant-Governor at Government House.

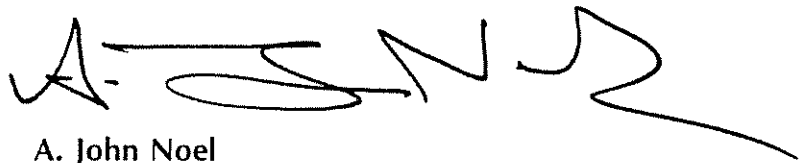
The Speaker addressed His Honour as follows:

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

Whereupon the Clerk read the following Bill:

A Bill "An Act To Amend The Income Tax Act" (Bill Ho. 6).

His Honour the Lieutenant-Governor then said, "In Her Majesty's Name I Assent to this Bill".

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal line extending to the right.

A. John Noel
Clerk of the House of Assembly

Monday, December 8th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Education (Mr. Grimes) made a statement respecting the air quality in the Province's schools. The Minister also tabled a copy of an Indoor Air Quality Study in Newfoundland and Labrador Schools undertaken during the Spring of 1995.

The Member for Cape St. Francis (Mr. Jack Byrne) presented a petition on behalf of certain residents urging the Government of the Province not to proceed with legislation that would tax the sale of used vehicles based on the book value of these vehicles.

Pursuant to order and on motion the following Bills were introduced and read a first time:

A Bill "An Act To Amend The Public Utilities Act" (Bill No. 44)

A Bill "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48)

A Bill "An Act To Amend The Environmental Assessment Act" (Bill No. 49)

A Bill "An Act To Amend The Workers' Compensation Act" (Bill No. 50).

On motion it was ordered that Bills No. 44, 48, 49 and 50 be read a second time on tomorrow.

The Government House Leader (Mr. Tullk) moved that the Member for St. John's West (Mrs. Sheila Osborne) replace the Member for Conception Bay South (Mr. French) on the Select Committee respecting the Arming Policy of the Royal Newfoundland Constabulary. The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 26) and on motion it was ordered that Bill No. 26 be read a second time presently.

December 8th, 1997

On motion the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 26) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45) and on motion it was ordered that Bill No. 45 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Judgement Enforcement Act" (Bill No. 46) and on motion it was ordered that Bill No. 46 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Judgement Enforcement Act" (Bill No. 46) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Provincial Court Act, 1991" (Bill No. 47) and on motion it was ordered that Bill No. 47 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Provincial Court Act" (Bill No. 46) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

By leave, the Honourable Government House Leader (Mr. Tulk) on behalf of the Honourable the Minister of Health (Ms. Aylward) gave notice that she would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Food And Drug Act" (Bill No. 7).

December 8th, 1997

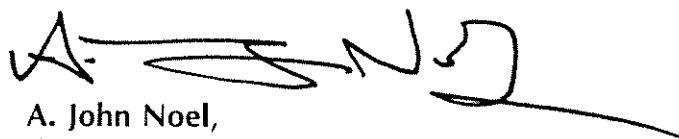
Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Family Law Act" (Bill No. 32) and on motion it was ordered that Bill No. 32 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Family Law Act" (Bill No. 32) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced on Second Reading of the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991 and the Uniformed Services Pensions Act, 1991 (Bill No. 34) and on motion debate was adjourned for further debate on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, December 9th at 2 o'clock in the afternoon.

On motion the House then adjourned at 4:47 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal line extending to the right.

A. John Noel,
Clerk of the House of Assembly

Tuesday, December 9th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made a Statement to describe a project to study all aspects of cod farming, from harvesting and growing to processing and marketing. The Minister also announced that the project was funded under the Aquaculture Component of the Economic Renewal Agreement, a joint effort of the FFAW, harvesters and the Federal and Provincial Governments.

The Honourable the Minister of Forest Resources and Agrifoods (Mr. Aylward) made a Statement to announce the establishment of a new conservation officer program.

The Honourable the Minister of Works, Services & Transportation (Mr. Matthews) made a Statement respecting Government's future provision of passenger and freight service to coastal Labrador.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. A. Reid) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The City Of Corner Brook Act, The City Of Mount Pearl Act And The Municipalities Act" (Bill No. 51).

The Honourable the Minister of Environment and Labour (Mr. Langdon) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Labour Relations Act No. 2" (Bill No. 52).

The Honourable the Minister of Education (Mr. Grimes) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Revise The Law Respecting The Operation Of Schools In the Province" (Bill No. 41).

The Member for St. John's West (Ms. Sheila Osborne) presented a Petition on behalf of certain citizens requesting the Department of Human Resources and Employment to change its policy with respect to student parents repaying their student loans.

By leave, the Honourable the Minister of Health (Ms. Aylward), in reply to a question for which notice had been given, gave an answer respecting the St. John's Health Care Corporation and tabled correspondence from that corporation.

December 9th, 1997

Pursuant to order and on motion a Bill entitled, "An Act To Amend The Food And Drug Act" (Bill No. 7) was read a first time.

On motion it was ordered that the said Bill be read a second time on tomorrow.

Pursuant to order and on motion debate continued and concluded on Second Reading of the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991 and The Uniformed Services Pensions Act, 1991" (Bill No. 34) and on motion it was ordered that Bill No. 34 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991 and The Uniformed Services Pensions Act, 1991" (Bill No. 34) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Memorial University Pensions Act" (Bill No. 39) and on motion it was ordered that Bill No. 39 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Memorial University Pensions Act" (Bill No. 39) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Nursing Assistants Act" (Bill No. 25) and on motion it was ordered that Bill No. 25 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Nursing Assistants Act" (Bill No. 25) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Amend The Environmental Assessment Act" (Bill No. 49) and on motion it was ordered that Bill No. 49 be read a second time presently.

December 9th, 1997

On motion the Bill entitled, "An Act To Amend The Environmental Assessment Act" (Bill No. 49) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

The Honourable the Government House Leader (Mr. Tulk) moved that the House resolve itself into Committee of the Whole House.

The Speaker left the Chair.

Mr. Penney took the Chair of Committee.

The Committee considered and passed the Bill entitled, "An Act To Amend The Human Rights Act" (Bill No. 21).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of the Whole House had considered the matter to it referred and had passed the Bill entitled, "An Act To Amend The Human Rights Act" (Bill No. 21) without amendment and asked leave to sit again.

On motion the Report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again.

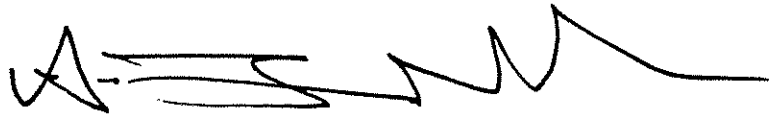
Pursuant to order and on motion the Bill entitled "An Act To Amend The Human Rights Act" (Bill No. 21) was read a third time and passed and on motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

The Honourable the Government House Leader announced that the motion standing in the name of the Member for Labrador West (Mr. Canning) would be debated on Private Members' Day on Wednesday.

December 9th, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Wednesday, December 10th at 2 o'clock in the afternoon.

On motion the House then adjourned at 4:48 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal line extending to the right.

A. John Noel,
Clerk of the House of Assembly.

Wednesday, December 10th, 1997

In Private Session, the Members agreed that the Speaker send a letter of support to the Member for Terra Nova (Mr. Lush) who is presently attending to his son who was seriously injured in a plane crash in Manitoba.

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Education (Mr. Grimes) made a Statement to report that the House of Commons had approved the Resolution to amend Term 17 by a majority of 212 to 53.

The Honourable the Premier (Mr. Tobin) made a Statement to recognize December 10th as Human Rights Day. The Premier also read an editorial from **The Aurora**. With the concurrence of all Members, the Premier asked that the Speaker on behalf of the House send a letter to the managing editor of the newspaper expressing displeasure with the discriminatory tone of the editorial.

The Honourable the Minister of Works, Services & Transportation (Mr. Matthews) tabled the Report of the **Public Tender Act** Exceptions for the month of October, 1997.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Municipalities Act" (Bill No. 55).

The Member for St. John's South (Mr. Osborne) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS current legislation and practice permit the provincial government to remove individuals from their homes based on concerns about either their mental health or their physical health;

AND WHEREAS any municipality in the Province can issue a closure order on a property based on the condition of the property;

AND WHEREAS these considerable powers of the state against individuals must be exercised with great restraint respecting the rights and freedoms of individuals in our society;

December 10th, 1997

AND WHEREAS questions have been raised in recent months about the way in which these powers have been exercised and regarding the safeguards in place to ensure individuals so removed from their homes are provided on an emergency basis with adequate alternate accommodations;

THEREFORE BE IT RESOLVED THAT this Honourable House urge the Government of Newfoundland and Labrador to review, with the goal of improving, the legislation and practices of the provincial government regarding the closure orders on homes and the removal from those homes of individuals on the basis of mental or physical health concerns;

BE IT FURTHER RESOLVED THAT this House urge the government to make appropriate changes so that individuals targeted by such a process are as follows:

- (a) Given prior information detailing the ground on which the government is assessing them under the **Neglected Adults Act** or the **Mental Health Act**;
- (b) Given the right to appeal such a decision in a timely manner;
- (c) Given suitable emergency alternate accommodations while it is determined whether it is more viable for the Province to repair the structure or rather to provide permanent long-term accommodations through Newfoundland and Labrador Housing or some other public office;
- (d) If it is more viable to make alterations rather than to provide long-term care, given assurances that the appropriate action will be taken as soon and efficiently as possible for both the individuals affected and government; and
- (e) Otherwise, if it is more viable to provide long-term accommodations or care to the individual based on an assessment of the individual's medical and other needs, given assurances that the transition will be done as smoothly as possible, in recognition of the human factor of any decision to displace people from their traditional place of residence."

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December 10th, 1997

In reply to a question for which notice had been given, the Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) gave an answer and tabled a letter from the Housing Corporation respecting the sale of Linden Court, Pine Bud Avenue and Allandale Place properties.

The Member for St. John's West (Ms. Sheila Osborne) presented a Petition on behalf of certain citizens requesting the Department of Human Resources and Employment to change its policy with respect to student parents repaying their student loans.

By leave, pursuant to order and on motion a Bill entitled, "An Act To Revise The Law Respecting The Operation Of Schools In The Province" (Bill No. 41) was read a first time.

On motion it was ordered that the said Bill be read a second time on tomorrow.

Pursuant to order and on motion debate commenced and concluded on the following motion standing in the name of the Member for Labrador West (Mr. Canning):

"WHEREAS many people throughout Newfoundland and Labrador rely on air travel;

AND WHEREAS airline fare are exorbitant and are continuing to rise dramatically driving air travel out of reach to the ordinary citizen. High travel costs tend to reduce accessibility to secondary and tertiary health care, it creates another financial challenge for post-secondary students and has a direct negative impact on our tourism growth potential;

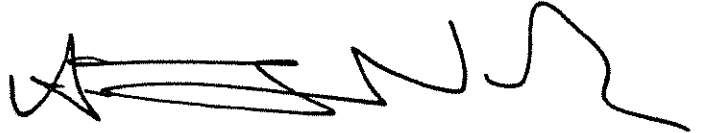
THEREFORE BE IT RESOLVED that this Honourable House recommend that appropriate agencies of the Government of Canada undertake an immediate review of the airline industry with particular focus on large geographic, sparsely populated regions of our country such as Newfoundland and Labrador and recommend public policy that seeks to reduce the financial burden being placed on our flying public."

The Speaker put the question on the Resolution and declared the Resolution carried.

December 10th, 1997

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, December 11th at 2 o'clock in the afternoon.

On motion the House then adjourned at 4:10 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel'. The signature is stylized with a large initial 'A' and a long horizontal stroke.

A. John Noel,
Clerk of the House of Assembly.

Thursday, December 11th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Speaker ruled on a Point of Order raised by the Member for Humber East (Mr. Mercer) on November 20th. In his ruling, the Speaker reminded all Members that care should be exercised in making statements about persons who are outside the House and who are unable to reply on their own behalf.

The Speaker also reminded Members respecting the prohibition against exhibits on Members' desks.

By leave, the Member for Fogo and Twillingate (Mr. Reid) made a statement asking the Speaker to send a letter of condolence to the family of the late Dr. Captain Peter Troake. The Member for Bonavista South (Mr. Fitzgerald) and the Member for Signal Hill-Quid Vidi (Mr. Harris) spoke in agreement with the Statement.

The Honourable the Minister of Fisheries and Aquaculture (Mr. Efford) made a Statement respecting the efforts of his Department and the private sector to market dried squid outside the Province.

The Honourable the Minister of Forest Resources and Agrifoods (Mr. Aylward) made a Statement respecting the progress made by the School Lunch Program to encourage the consumption of milk by children in schools across the Province.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) made a Statement to announce that the deadline for the submission of the study and report on the future of the municipal jurisdiction of the Southlands Development had been advanced to January 15th, 1998.

The Honourable the Government House Leader (Mr. Tulk), on behalf of the Minister of Government Services and Lands (Mr. McLean), gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act Respecting Co-Operatives" (Bill No. 60).

December 11th, 1997

The Honourable the Minister of Environment and Labour (Mr. Langdon) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Waste Material Disposal Act" (Bill No. 57)

A Bill "An Act To Amend The Environment Act" (Bill No. 56).

The Honourable the Minister of Works, Services & Transportation (Mr. Matthews) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Public Tender Act" (Bill No. 53).

The Honourable the Minister of Education (Mr. Grimes) gave notice that he would on tomorrow ask leave to introduce a Bill entitled, "An Act To Revise The Law Respecting Apprenticeship And Occupational Certification" (Bill No. 61).

The Honourable the Minister of Municipal and Provincial Affairs (Mr. A. Reid) gave notice that he would on tomorrow ask leave to introduce the following Bills:

A Bill "An Act To Amend The Coat Of Arms Act" (Bill No. 58)

A Bill "An Act To Amend The Municipalities Act No. 2" (Bill No. 62).

In reply to Question No. 20 as asked by the Member for St. John's East (Mr. Ottenheimer) and printed in the November 19th, 1997 edition of the Order Paper, the Honourable the Minister of Justice and Attorney General (Mr. Decker) tabled an answer respecting the Support Enforcement Agency.

The Member for St. John's West (Ms. Sheila Osborne) presented a Petition on behalf of certain residents requesting the Department of Human Resources and Employment to change its policy with respect to student parents repaying their student loans.

Pursuant to order and on motion a Bill entitled, "An Act To Amend The Municipalities Act" (Bill No. 55) was read a first time.

December 11th, 1997

On motion it was ordered that the said Bill be read a second time presently.

The Honourable the Government House Leader (Mr. Tulk) moved that the House resolve itself into Committee of the Whole House.

The Speaker left the Chair.

Mr. Penney took the Chair of Committee.

The Committee considered and passed the Bill entitled, "An Act To Amend The Provincial Court Act, 1991" (Bill No. 47) without amendment.

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of the Whole House had considered the matter to it referred and had passed the Bill entitled, "An Act To Amend The Provincial Court Act, 1991" (Bill No. 47) without amendment.

On motion the Report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again.

Pursuant to order and on motion the Bill entitled, "An Act To Amend the Provincial Court Act" (Bill No. 47) was read a third time and passed and on motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled "An Act To Amend The Workers' Compensation Act" (Bill No. 50) and on motion it was ordered that Bill No. 50 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Workers' Compensation Act" (Bill No. 50) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

December 11th, 1997

The Honourable the Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon.

The Speaker put the question on the motion and declared the motion carried.

By leave, it was agreed to dispense with the adjournment motion under Standing Order 31.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled "An Act To Amend The Municipalities Act" (Bill No. 55) and on motion it was ordered that Bill No. 55 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Municipalities Act" (Bill No. 55) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House presently, by leave.

The Honourable the Government House Leader (Mr. Tulk) moved that the House resolve itself into Committee of the Whole House.

The Speaker left the Chair.

Mr. Oldford took the Chair of Committee.

The Committee considered and passed the Bill entitled, "An Act To Amend The Municipalities Act" (Bill No. 55) without amendment.

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of the Whole House had considered the matter to it referred and had passed the Bill entitled, "An Act To Amend The Municipalities Act" (Bill No. 55) without amendment.

On motion the Report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again.

December 11th, 1997

Pursuant to order and on motion the Bill entitled "An Act To Amend The Municipalities Act" (Bill No. 55) was read a third time and passed and on motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled "An Act To Amend The Food and Drug Act" (Bill No. 7) and on motion it was ordered that Bill No. 7 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Food and Drug Act" (Bill No. 7) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate continued and concluded on Second Reading of the Bill entitled "An Act To Amend The Wilderness And Ecological Reserves Act" (Bill No. 10) and on motion it was ordered that Bill No. 10 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Wilderness And Ecological Reserves Act" (Bill No. 10) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

The House recessed for a few minutes to await the arrival of His Honour the Lieutenant-Governor.

The Sergeant-at-Arms announced the arrival of His Honour the Lieutenant-Governor.

The Speaker left the Chair.

His Honour the Lieutenant-Governor took the Chair.

The Speaker addressed His Honour as follows:

"It is my agreeable duty on behalf of Her Majesty's dutiful and Loyal subjects, Her Faithful Commons in Newfoundland and Labrador to present to Your Honour Bills for the Appropriation of Supplementary Supply granted in the present Session."

December 11th, 1997

Whereupon the Clerk read the following Bills:

A Bill "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 1997 And For Other Purposes Relating To The Public Service" (Bill No. 28)

A Bill "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Additional Expenses Of The Public Service For The Financial Year Ending March 31, 1998 And For Other Purposes Relating To The Public Service" (Bill No. 33).

His Honour the Lieutenant-Governor said, "In Her Majesty's Name, I thank Her Loyal Subjects, I accept Their Benevolence, and I Assent to these Bills."

The Speaker again addressed His Honour as follows:

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

Whereupon the Clerk read the following Bills:

A Bill "An Act To Amend The Human Rights Code" (Bill No. 21)

A Bill "An Act To Amend The Provincial Court Act, 1991" (Bill No. 47)

A Bill "An Act To Amend The Municipalities Act" (Bill No. 55).

His Honour the Lieutenant-Governor then said, "In Her Majesty's Name, I Assent to these Bills".

His Honour then left the Chamber.

The Speaker resumed the Chair.

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By leave, the Honourable the Minister of Justice and Attorney General (Mr. Decker) gave notice that he would on tomorrow move the following Resolution:

"WHEREAS Section 28 of the **Provincial Court Act, 1991** requires the Lieutenant-Governor in Council to appoint a Tribunal to recommend the salaries and benefits of the Judges and Chief Judge of the Provincial Court of Newfoundland;

AND WHEREAS the Tribunal submitted its Report on the Salaries and Benefits of Provincial Court Judges to the Minister of Justice on February 21, 1997;

AND WHEREAS the House varied the recommendations of the Report by Resolution adopted April 22, 1997 as follows:

1. By deleting Recommendation 1 and substituting the following:

"1. The salaries of Provincial Court Judges be maintained at their current level pending further consideration by the Minister of Justice and the Chief Judge and the Judges of the Provincial Court."

2. By deleting Recommendation 2 and substituting the following:

"2. The differential between the salary of the Chief Judge and the other judges of the Provincial Court be \$5,000 so that the salary of the Chief Judge will be at all times \$5,000 higher than the salaries of the other judges of the court."

3. By deleting Recommendation 4(b).

AND WHEREAS the Tribunal recommended in Recommendation 3 that a special pension plan for Provincial Court Judges be negotiated directly by the Provincial Court Judges' Association and Government;

AND WHEREAS the Supreme Court of Canada, in September 1997, in the case known as Manitoba Provincial Judges Association v. Manitoba (Minister of Justice),

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established for the first time guidelines for an appropriate process to determine the salaries and benefits of Judges;

AND WHEREAS the **Provincial Court Act, 1991** has recently been amended to ensure that the statutory process complies with the Supreme Court of Canada guidelines, and in particular, provides for a standing independent tribunal to prepare a report every 4 years, containing recommendations on the salaries and benefits of Provincial Court Judges;

AND WHEREAS the **Provincial Court Act, 1991** now provides, in subsection 28.1(1), that the Minister of Justice may, at any time, refer a matter respecting salaries or benefits of judges to the tribunal for its review and recommendations and, in subsection 28.3(2), that the House may reconsider the Tribunal Report previously submitted and dealt with by the House on April 22, 1997 and may accept, reject or vary the Report as if it had not been previously dealt with;

AND WHEREAS the Minister of Justice intends to refer the matter of appropriate pension and severance benefits of Provincial Court Judges to the first standing tribunal appointed under the amended **Provincial Court Act, 1991**;

AND WHEREAS Government has decided to ask the House to rescind the Resolution adopted April 22, 1997, to accept Recommendations 1, 2 and 4 of the Report regarding salaries, and to reject Recommendation 3 regarding direct negotiation of a special pension plan by the Provincial Court Judges' Association and Government;

THEREFORE BE IT RESOLVED that this House:

1. Rescind the Resolution approved and adopted by the House on April 22, 1997 varying the Report on the Salaries and Benefits of Provincial Court Judges and the Chief Judge.
2. Accept Recommendations 1, 2 and 4 of the Report on the Salaries and Benefits of Provincial Court Judges and the Chief Judge, with salary increases to be effective April 1, 1997, and
3. Reject Recommendation 3 of the Report on the Salaries and Benefits of Provincial Court Judges."

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By leave, the Honourable Government House Leader (Mr. Tulk) moved that Order No. 24 being Bill No. 18 and Motion No. 1 being Bill No. 51 be struck from the Order Paper.

The Speaker put the question on the motion and declared the motion carried.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Friday, December 12th at 9 o'clock in the morning.

On motion the House then adjourned at 5:10 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal flourish extending to the right.

A. John Noel,
Clerk of the House of Assembly.

Friday, December 12th, 1997

The House met at 9 o'clock in the morning pursuant to adjournment.

The Honourable the Minister of Forest Resources and Agrifoods (Mr. Aylward) made a statement with respect to the 1997 Silviculture Program.

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) made a Statement respecting information technology advances in rural Newfoundland and Labrador.

The Honourable the Minister of Industry, Trade and Technology (Ms. Foote) made a Statement to advise Members that a St. John's based company Marine Industrial & Aviation (MIA) had acquired the Canadian manufacturing and marketing rights for INDUX line of asthma ventilation systems from Advanced Design Manufacturing (ADM) in England.

The Member for Port au Port (Mr. Smith) presented a petition on behalf of certain residents in his District requesting the Government to find a doctor to fill a vacant position in Cape St. George on the Port au Port Peninsula..

The Member for St. John's East (Mr. Ottenheimer) presented a Petition on behalf of certain residents requesting the Department of Education to provide a paid adult monitor program on school buses in order to supervise the safety of children.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain citizens requesting Government to initiate a universal comprehensive school lunch program for every school in the Province.

The Member for St. John's West (Ms. Sheila Osborne) presented a Petition on behalf of certain residents requesting the Department of Human Resources and Employment to change its policy with respect to student parents repaying their student loans.

The Member for Cape St. Francis (Mr. Jack Byrne) presented a Petition on behalf of certain residents urging the Government of the Province not to proceed with legislation that would tax the sale of used vehicles based on the book value of these vehicles.

The Member for St. John's East (Mr. Ottenheimer) presented a Petition on behalf of certain residents requesting the Department of Education to provide a paid adult monitor program on school buses in order to supervise the safety of children.

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Pursuant to order and on motion the following Bills were introduced and read a first time:

A Bill "An Act To Amend The Public Tender Act" (Bill No. 53)

A Bill "An Act To Amend The Environment Act" (Bill No. 56)

A Bill "An Act To Amend The Waste Material Disposal Act"
(Bill No. 57)

A Bill "An Act To Amend The Coat of Arms Act" (Bill No. 58)

A Bill "An Act To Revise The Law Respecting Apprenticeship And
Occupational Certification" (Bill No. 61)

A Bill "An Act To Amend The Municipalities Act No. 2" (Bill No. 62).

On motion it was ordered that the said Bills be read a second time on tomorrow.

By leave, the Honourable Minister of Education (Mr. Grimes) tabled information respecting the application for registration of Newfoundland and Labrador Paralegal Corporation as a private training institution.

Pursuant to order and on motion debate commenced on Second Reading of the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48) and on motion debate was adjourned for further debate on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Monday, December 15th at 2 o'clock in the afternoon.

On motion the House then adjourned accordingly.



A. John Noel,
Clerk of the House of Assembly.

Monday, December 15th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

In order that Members could attend the funeral of the late Honourable Noel Goodridge, former Chief Justice of Newfoundland, the Honourable Government House Leader (Mr. Tulk) moved that the House recess until 4 o'clock in the afternoon after which the routine proceedings of the House would begin as if the clock read 2 o'clock.

The Speaker put the question on the motion and declared the motion carried.

At 4 o'clock in the afternoon, it was agreed to further recess the House until 4:15 o'clock in the afternoon. Many Members were delayed at the Anglican Cathedral because of traffic conditions following the above noted funeral.

The Speaker resumed the Chair at 4:15 o'clock in the afternoon.

The Honourable the Government House Leader (Mr. Tulk) on behalf of the Honourable the Minister of Justice and Attorney General and the Government of the Province paid tribute to the late former Chief Justice Noel Goodridge. The Member for St. John's East (Mr. Ottenheimer) also spoke in reply to the Statement. The Speaker was asked to send a letter of condolence to the family of the late Chief Justice on behalf of all Members.

The Honourable the Minister of Municipal and Provincial Affairs (Mr. Reid) made a Statement to announce that he had directed the Municipal Assessment Agency to do a complete analysis of municipal property assessments. The Minister also tabled certain information from the Agency.

The Honourable the Minister of Health (Ms. Aylward) made a Statement to announce that the recent First Ministers Meeting in Ottawa had agreed to mandate designated Ministers under the auspices of Ministerial Council for Social Policy and Renewal to begin negotiations on a framework agreement for Canada's social union.

The Honourable the Minister of Education (Mr. Grimes) made a Statement to announce that the recent First Ministers Meeting in Ottawa had unanimously endorsed a vision for Canadian youth to participate fully in the economic opportunities for the twenty-first century.

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The Honourable the Minister of Government Services and Lands (Mr. McLean) made a Statement respecting the economic crisis facing the Community of Black Tickle on Labrador's South Coast. The Minister announced Government's approval of additional initiatives under the various job creation programs for the Community of Black Tickle.

The Honourable the Minister of Education (Mr. Grimes) made a Statement with respect to the registration of the Newfoundland and Labrador Paralegal Training Institute as a private training institution.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) tabled the following:

- (a) the audited financial statements of the Province of Newfoundland Pooled Pension Fund as of December 31, 1996; and
- (b) the Newfoundland and Labrador Teachers' Pension Plan Report on the Actuarial Valuation for Funding Purposes and Long Term Projections as of August 31, 1996.

The Member for Kilbride (Mr. Ed Byrne) presented a Petition on behalf of certain residents requesting the Government to withdraw Bill No. 48 respecting the removal of Sundays from the list of holidays under the **Shops Closing Act**.

The Honourable the Government House Leader (Mr. Tulk) moved that the Orders of the Day be now read.

The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion a Bill entitled, "An Act To Amend The Labour Relations Act No. 2" (Bill No. 52) was introduced and read a first time.

On motion it was ordered that the said Bill be read a second time on tomorrow.

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The Honourable Government House Leader moved that the House not adjourn at 5 o'clock in the evening. The Speaker put the question on the motion and declared the motion carried.

Pursuant to order and on motion debate continued on Second Reading of the Bill entitled, "An Act to Amend The Shops' Closing Act No. 2" (Bill No. 48).

The Speaker recessed the House at 6:29 o'clock in the evening for dinner.

The Speaker resumed the Chair at 7:00 o'clock in the evening.

Debate resumed on Second Reading of the Bill entitled, "An Act to Amend The Shops' Closing Act No. 2" (Bill No. 48).

The Member for Cape St. Francis (Mr. Jack Byrne) moved, seconded by the Member for Baie Verte (Mr. Shelley), that all the words following the word "That" be deleted and the following substituted therefore:

"Bill 48, **An Act To Amend The Shops' Closing Act No. 2**, be not now read a second time but that it be read a second time this day six months hence."

The Speaker ruled the amendment in order.

The debate commenced on the amendment to the motion that Bill No. 48 be not now read a second time but read a second time this day six months hence.

The Honourable the Government House Leader (Mr. Tulk) moved that the House not adjourn at 10 o'clock in the evening. The Speaker put the question on the motion and declared the motion carried.

Debate continued on the amendment to the motion that Bill No. 48 be not now read a second time but that it be read a second time this day six months hence.

At 10:34 o'clock in the evening, the Speaker's attention was directed to the fact that there was no quorum present. After two minutes, the Clerk indicated to the Speaker that there was a quorum present.

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Debate continued on the amendment to the motion that Bill No. 48 be not now read a second time but that it be read a second time this day six month hence. Various points of order were raised about the lack of heat in the Chamber.

The Member for Bonavista South (Mr. Fitzgerald) while debating the six month hoist amendment with respect to Bill No. 48 moved that the House adjourn until the heating system in the Chamber was corrected or until regular sitting time the next parliamentary day.

The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

Against: The Hon. Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Walsh, the Hon. the Minister of Finance & Treasury Board (Mr. Dicks), the Hon. the Minister of Education (Mr. Grimes), Mr. Oldford, Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Wiseman, Mr. Andersen, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle.

The Speaker declared the motion defeated.

The Honourable the Government House Leader (Mr. Tulk) rose on a point of order stating that the Member for Bonavista South had lost his right to continue to speak on the six month hoist amendment by moving to adjourn the House.

The Speaker recessed the House at 2:56 o'clock in the morning of December 16th in order to consider the point of order.

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The Speaker resumed the Chair at 3:31 in the morning of December 16th.

The Speaker ruled that when a Member moves the adjournment of the House while speaking in debate, that Member loses his right to continue speaking when the debate on the same motion resumes.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) moved that the House adjourn until 9 o'clock in the morning because of lack of heat in the Chamber.

The Speaker ruled that the effect of the motion was the same as the motion previously moved by the Member for Bonavista South; a motion which was defeated.

The Speaker put the question on the amendment that Bill No. 48 be not now read a second time but that it be read a second time this day six months hence.

The House divided.

There appeared in favour of the motion: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

Against: The Hon. Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Walsh, Mr. Penney, Mr. Oldford, Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Wiseman, Mr. Andersen, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle.

The Speaker declared the amendment defeated.

Debate resumed on Second Reading of the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48).

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The Member for Signal Hill-Quidi Vidi (Mr. Harris) rose on a point of order seeking the Speaker's concurrence that the Chamber was cold and that the Speaker should adjourn the House until heat was restored in the Chamber.

The Speaker ruled that the House was not in a state of disorder and had no reason to recess or adjourn the House at that time.

The Honourable the Government House Leader (Mr. Tulk) moved, pursuant to Standing Order 40, that "the question with respect to Second Reading of Bill No. 48 be now put".

The Speaker ruled the motion in order.

A Point of Order was raised with respect to the fact that the Speaker did not recognize the Member for St. John's East (Mr. Ottenheimer) who was standing at the same time as the Honourable the Government House Leader.

The Speaker (Mr. Penney) took the matter under advisement after which he would review Hansard.

Pursuant to order and on motion debate commenced on the motion that Second Reading of Bill No. 48 be now put.

Debate continued on Second Reading of the Bill entitled, "An Act to Amend The Shops' Closing Act No. 2" (Bill No. 48) and on motion debate was adjourned for further debate on tomorrow.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Tuesday, December 16th at 2 o'clock in the afternoon.

On motion the House adjourned accordingly at 4:37 o'clock in the morning of December 16th, 1997.



A. John Noel,
Clerk of the House of Assembly.

Tuesday, December 16th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Finance and Treasury Board (Mr. Dicks) made a Statement to announce the implementation of a new system for the taxation of used motor vehicles. The new system will combine the Red Book Valuation System with affidavits from the buyer and the seller of a used motor vehicle.

The Honourable the Minister of Tourism Culture and Recreation (Ms. Kelly) made a Statement respecting the Department's response to the special audit of the former Cabot Corporation as prepared by the Auditor General. The Minister also tabled Department's response.

The Minister of Mines and Energy (Mr. Furey) tabled the Report of Mineral Licences And Mining Leases Issued For the period April 1, 1996 to March 31, 1997.

The Leader of the Opposition (Mr. Sullivan) presented a Petition on behalf of certain residents requesting the Government to withdraw Bill No. 48 respecting the removal of Sunday from the list of holidays under the **Shops' Closing Act**.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) presented a Petition on behalf of certain residents requesting the Government to withdraw Bill No. 48 respecting the removal of Sunday from the list of holidays under the **Shops' Closing Act**.

The Honourable the Government House Leader (Mr. Tulk) moved that the Orders of the Day be now read. The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Justice & Attorney General (Mr. Decker), Mr. Walsh, the Hon. the Minister of Finance & Treasury Board (Mr. Dicks), the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. K. Aylward), Mr. Penney, Mr. Oldford, Mr. Barrett, the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the

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Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Smith, Mr. Ramsay, Mr. Whelan, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow, Ms. Jones.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Tom Osborne, Mr. Ottenheimer, Ms. Sheila Osborne, Mr. Harris.

The Speaker declared the motion carried.

The Government House Leader (Mr. Tulk) moved that the House not adjourn at 5 o'clock in the afternoon.

The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. Minister of Justice & Attorney General (Mr. Decker), Mr. Walsh, the Hon. Minister of Finance & Treasury Board (Mr. Dicks), the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Penney, Mr. Oldford, Mr. Barrett, the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Speaker declared the motion carried.

Pursuant to order and on motion debate continued on the motion "that the question be now put" on Second Reading of the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48).

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The Speaker ruled on points of order respecting the reading of letters and notes.

The Chair recessed the House at 5:59 o'clock in the afternoon for dinner.

The Speaker resumed the Chair at 6:46 o'clock in the evening.

The debate continued on the motion "that the question be now put" on Second Reading of the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48).

The Honourable the Government House Leader (Mr. Tulk) moved that the House not adjourn at 10 o'clock in the evening.

The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. Minister of Fisheries & Aquaculture (Mr. Efford), the Hon. the Minister of Education (Mr. Grimes), Mr. Barrett, the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. Minister of Works, Services & Transportation (Mr. Matthews), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris, Ms. Jones.

The Speaker declared the motion carried.

Debate continued on the motion "that the question be now put" on Second Reading of the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48).

The Speaker put the question on the motion "that the question be now put" on Second Reading of a Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48).

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The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Penney, Mr. Oldford, Mr. Barrett, the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris, Ms. Jones.

The Speaker declared the motion carried.

Pursuant to order and on motion it was ordered that the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48) be now read a second time.

The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Penney, Mr. Oldford, Mr. Barrett, the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Mr. Woodford, Mr. Reid, Ms. Thistle, Mr. Sparrow.

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Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris, Ms. Jones.

The Speaker declared the motion carried.

On motion the Bill entitled, "An Act to Amend The Shops' Closing Act No. 2" (Bill No. 48) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of the Bill entitled, "An Act To Revise The Law Respecting The Operation Of Schools In The Province" (Bill No. 41) and on motion it was ordered that Bill No. 41 be read a second time presently.

On motion the Bill entitled, "An Act To Revise The Law Respecting The Operation Of Schools In The Province" (Bill No. 41) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of Bill entitled, "An Act To Amend The Retail Sales Tax Act" (Bill No. 4) and on motion it was ordered that Bill No. 4 be read a second time presently.

On motion the Bill "An Act To Amend The Retail Sales Tax Act" (Bill No. 4) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

Pursuant to order and on motion debate commenced and concluded on Second Reading of Bill entitled, "An Act To Amend The Labour Relations Act No. 2" (Bill No. 52) and on motion it was ordered that Bill No. 52 be read a second time presently.

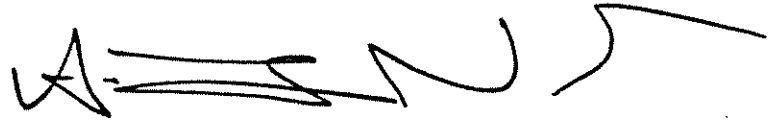
On motion the Bill "An Act To Amend The Labour Relations Act No. 2" (Bill No. 52) was read a second time and on motion it was ordered that the said Bill be referred to a Committee of the Whole House on tomorrow.

The Honourable Government House Leader announced that the motion standing in the name of the Member for Bonavista South (Mr. Fitzgerald) would be debated on Private Members' Day on Wednesday.

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It was moved and seconded that when the House rose it would adjourn until tomorrow Wednesday, December 17th at 2 o'clock in the afternoon.

On motion the House adjourned accordingly at 12:38 o'clock on the morning of December 17th.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal line extending to the right.

A. John Noel,
Clerk of the House of Assembly.

Wednesday, December 17th, 1997

The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Minister of Works, Services & Transportation (Mr. Matthews), in conjunction with the Minister of Industry, Trade & Technology (Ms. Foote), made a Statement to advise Members of Government's intention to conduct a public consultation exercise with respect to the provincial **Public Tender Act**.

The Honourable the Minister of Development and Rural Renewal (Mr. Tulk) made a Statement regarding the announcement by the Honourable Pierre Pettigrew, Minister of Human Resources Development for Canada that the TAGS Program will be extended to the end of August, 1998.

During Oral Questions, the Member for Signal Hill-Quidi Vidi (Mr. Harris) rose on a point of order with respect to the rule of anticipation and its application to debate on Bill No. 48.

The Speaker recessed the House at 2:18 o'clock in the afternoon in order to review the precedents on the matter.

The Speaker resumed the Chair at 2:38 o'clock in the afternoon.

The Speaker ruled that in accordance with the precedents of the House and the rules set forth in Beauchesne the rule of interpretation must apply to question period. Therefore, the Speaker ruled that the question with respect to Bill No. 48 was out of order.

The Opposition House Leader (Mr. Hodder) challenged the Speaker's ruling and moved that the Speaker's ruling be overturned.

The Speaker put the question on the motion that his decision be upheld.

The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Justice & Attorney General (Mr. Decker), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Penney, Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), the Hon. the

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Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Speaker declared the motion carried with the result that the Speaker's ruling was sustained.

The Honourable the Government House Leader (Mr. Tulk) rose on a point of order and asked the Speaker whether in accordance with Standing Order 31(c) the Opposition House Leader was correct in challenging the Speaker's ruling during Oral Questions because the Standing Order clearly states that the Speaker's ruling during this procedure is not debatable or subject to appeal.

The Speaker took the matter under advisement.

The Opposition House Leader rose on a point of order to say that all Members of the Opposition with the exception of the Member for Bonavista South (Mr. Fitzgerald) would withdraw from the Chamber in protest against the Speaker's ruling.

The Speaker ruled there was no point of order and the said Opposition Members left the Chamber.

The Honourable the Government House Leader (Mr. Tulk) gave notice that he would on tomorrow move, pursuant to Standing Order 50, that the debate on Bill No. 48 entitled, "An Act To Amend The Shops' Closing Act No. 2" standing in the name of the Honourable the Minister of Environment and Labour shall not be further adjourned and that further consideration of any resolution or resolutions, clause or clauses, section or sections, Schedule or Schedules, preamble or preambles, title or titles, or whatever else might be related to debate in Committee of the Whole House respecting Bill No. 48

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shall be the first business of the Committee when next called by the House, and shall not be further postponed.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Member for Bonavista South (Mr. Fitzgerald):

"WHEREAS the Newfoundland and Labrador agriculture industry comprises 720 farm units with assets whose capital value is in excess of \$176 million and with annual cash receipts of more than \$71 million, and is of critical importance to our Province and to the many people and communities who depend on it;

AND WHEREAS moose in the Province, whose population is regulated and whose numbers are protected under provincial law and now exceed 200,000 animals, have done damage to many farms in the Province serious enough to threaten the annual harvests and integrity of these farms;

AND WHEREAS the provincial wildlife and inland fisheries industry is estimated to contribute over \$200 million annually to the province's economy, and 30,000 moose licenses return approximately \$1.5 million a year to the provincial treasury;

AND WHEREAS it is reasonable and appropriate that farmers be compensated by the provincial government for losses they incur as a result of the actions of moose whose numbers are protected by the provincial government;

BE IT THEREFORE RESOLVED THAT the House of Assembly urge the provincial government to consider immediately implementing a program whereby the provincial government will compensate farmers for losses they incur as a result of damage done to their farms and crops by moose."

The Speaker put the question on the Resolution.

The House divided.

There appeared in favour of the motion: The Hon. the Premier (Mr. Tobin), the Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources

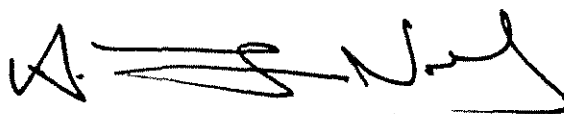
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& Agrifoods (Mr. Aylward), Mr. Penney, Mr. Oldford, Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Mr. Foote), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Whelan, Ms. Hodder, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow, Mr. Fitzgerald.

The Speaker declared the Resolution carried.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, December 18th, at 2 o'clock in the afternoon.

On motion the House then adjourned at 4:53 o'clock in the afternoon.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal line extending to the right.

A. John Noel,
Clerk of the House.

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The House met at 2 o'clock in the afternoon pursuant to adjournment.

The Honourable the Premier (Mr. Tobin) made a Statement respecting the hydroelectric potential of the Churchill River and the government's three policy goals in negotiating with the Province of Quebec respecting any future development.

The Honourable the Minister of Health (Ms. Aylward) made a Statement respecting negotiations between government and the Newfoundland and Labrador Medical Association with respect to compensation.

The Honourable the Minister of Tourism, Culture and Recreation (Ms. Kelly) made a Statement respecting the success of the 1997 privatization initiative with respect to provincial parks.

The Honourable the Minister of Education (Mr. Grimes) made a Statement to announce that the Government had approved funding in the amount of \$150,000 for the development of a new camp at Northwest Pond for the Girl Guides of Canada.

There was a brief ceremony in the Chamber at which the portrait of the former Speaker, Honourable Paul Dicks, M.H.A., was unveiled by Mr. Dicks. The Honourable Mr. Dicks responded to the remarks made by the Honourable the Premier (Mr. Tobin), the Leader of the Opposition (Mr. Sullivan) and Mr. Harris, the Member for Signal Hill-Quidi Vidi.

The Honourable the Minister of Finance and President of Treasury Board (Mr. Dicks) tabled a copy of the audited Public Accounts and the Accounts of the Crown Corporations, Boards and other Authorities for the fiscal year ended March 31, 1997 (in 4 volumes).

The Member for Kilbride (Mr. E. Byrne) presented a Petition on behalf of certain residents requesting the Government to withdraw Bill No. 48 respecting the removal of Sunday from the list of holidays under the **Shops' Closing Act**.

The Member for Conception Bay South (Mr. French) presented a Petition on behalf of certain residents requesting the Government to withdraw Bill No. 48 respecting the removal of Sunday from the list of holidays under the **Shops' Closing Act**.

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The Honourable the Government House Leader (Mr. Tulk) moved that the Orders of the Day be now read.

The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Hon. the Premier (Mr. Tobin), the Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Flight, Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), Mr. Penney, Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Speaker declared the motion carried.

The Honourable the Government House Leader (Mr. Tulk) moved that "Pursuant to Standing Order 50 that the debate on Bill No. 48 entitled, "An Act to Amend The Shops' Closing Act No. 2" standing in the name of the Honourable the Minister of Environment and Labour shall not be further adjourned and that further consideration of any resolution or resolutions, clause or clause, section or sections, Schedule or Schedules, preamble or preambles, title or titles, or whatever else might be related to debate in Committee of the Whole House respecting Bill No. 48 shall be the first business of the Committee when next called by the House, and shall not be further postponed."

The Speaker put the question on the motion.

The House divided.

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There appeared in favour of the motion: The Hon. the Premier (Mr. Tobin), the Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Flight, Mr. Walsh, the Hon. the Minister of Finance & Treasury Board (Mr. Dicks), the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Penney, Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Jack Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Speaker declared the motion carried.

The Honourable the Government House Leader moved that the House not adjourn at 5 o'clock in the afternoon.

The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Hon. the Premier (Mr. Tobin), the Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Mines & Energy (Mr. Furey), the Hon. the Minister of Justice & Attorney General (Mr. Decker), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), Mr. Flight, Mr. Walsh, the Hon. the Minister of Finance & Treasury Board (Mr. Dicks), the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Langdon), Mr. Penney, Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the

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Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Speaker declared the motion carried.

The Honourable the Government House Leader (Mr. Tulk) moved that the House resolve itself into Committee of the Whole House.

On motion that the House resolve itself into Committee of the Whole House.

The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Hon. the Premier (Mr. Tobin), the Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), the Hon. the Minister of Municipal & Provincial Affairs (Mr. Reid), the Hon. the Minister of Finance & Treasury Board (Mr. Dicks), the Hon. the Minister of Forest Resources & Agrifoods (Mr. Aylward), Mr. Penney, Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Woodford, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Fitzgerald, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

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Instead of moving directly into Committee of the Whole House, at 4:30 o'clock in the afternoon pursuant to Standing Order 31, certain questions raised by Members were debated.

After the procedure relating to Standing Order 31 was completed, the Honourable Government House Leader (Mr. Tulk) moved that the House resolve itself into Committee of the Whole House.

Mr. Speaker left the Chair.

Mr. Oldford took the Chair of Committee.

The Committee considered the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48) and by leave after some debate, debate on Bill No. 48 was adjourned.

By leave, the Honourable the Premier (Mr. Tobin) made a Statement advising Members that the Senate had passed the latest amendment to Term 17 of the Terms of Union between the Province and Canada.

The Chair of Committee recessed the Committee of the Whole for five minutes.

By agreement, the Committee considered and passed the Bill entitled, "An Act To Revise The Law Respecting The Operation Of Schools In The Province" (Bill No. 41).

On motion the Committee rose.

The Speaker resumed the Chair.

The Chairperson of the Committee reported that the Committee of the Whole House had considered the matters to it referred and had passed the Bill entitled, "An Act To Revise The Law Respecting The Operation Of Schools In The Province" (Bill No. 41) and asked leave to sit again presently.

On motion the Report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again presently.

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Pursuant to order and on motion the Bill entitled, "An Act To Revise The Law Respecting The Operation Of Schools In The Province" (Bill No. 41) was read a third time and passed and on motion it was ordered that the said Bill be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

By agreement the Honourable Government House Leader (Mr. Tulk) moved that the House resolve itself into Committee of the Whole House.

The Speaker recessed the House at 6:00 o'clock in the evening for dinner and in doing so, in accordance with the agreement of the House left the Chair.

Mr. Penney took the Chair of Committee of the Whole House at 7:00 o'clock in the evening.

The Committee considered the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48).

The Chairman put the question on the motion that clauses 1 - 3 of Bill No. 48 carry.

The Committee divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Chairman declared the motion passed.

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The Chairman put the question on the motion that the enacting clause carry.

The Committee divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Chairman declared the motion passed.

The Chairman put the question on the motion that the title of the Bill carry.

The Committee divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government

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Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Chairman declared the motion passed.

The Chairman put the question on that motion that he report the Bill passed without amendment.

The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French, Ms. Sheila Osborne, Mr. Harris.

The Chairman declared the motion passed.

The Chairman put the question on the motion that the Committee rise, report progress and ask leave to sit again.

The Committee divided.

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There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), Mr. Oldford, the Hon. the Minister of Health (Ms. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. the Minister of Tourism, Culture & Recreation (Ms. Kelly), the Hon. the Minister of Government Services & Lands (Mr. McLean), Mr. Noel, Mr. Wiseman, Mr. Andersen, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Woodford, Mr. Mercer, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Ms. Sheila Osborne, Mr. Harris.

The Chairman declared the motion carried.

The Committee rose.

The Speaker (Mr. Snow) resumed the Chair.

The Chairperson of the Committee reported that the Committee of the Whole House had considered the matters to it referred and had passed the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48) without amendment and ask leave to sit again.

On motion the Report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again presently.

Pursuant to order and on motion debate commenced on Third Reading of the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48).

The Honourable the Government House Leader (Mr. Tulk) moved, pursuant to Standing Order 40, that "the question with respect to Third Reading of the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48) be now put".

The Speaker ruled the motion in order.

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During debate on the motion that "the question with respect to Third Reading of Bill No. 48 be now put", there were a number of quorum calls. With respect to each of these incidents, the Speaker confirmed that there was a quorum present.

By agreement at 4:37 o'clock in the morning of December 19th, the Speaker left the Chair for a short recess.

The Speaker resumed the Chair at 4:53 o'clock in the morning of December 19th.

After much debate, the Speaker put the question on the motion "that Third Reading of the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48) be now put".

The House divided.

There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. K. Aylward), Mr. Oldford, Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), Mr. Wiseman, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French.

The Speaker declared the motion carried.

The Speaker put the question on the motion that the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48) be now read a third time.

The House divided.

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There appeared in favour of the motion: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. K. Aylward), Mr. Oldford, Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade & Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), Mr. Wiseman, Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

Against: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French.

The Speaker declared the motion carried.

On motion the Bill entitled, "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48) was read a third time and passed. On motion it was ordered that Bill No. 48 be printed being entitled as above and that it be submitted to His Honour the Lieutenant-Governor for His Assent.

The Opposition House Leader (Mr. Hodder) moved that the House adjourn until Monday, December 22nd at 2 p.m. The Speaker put the question on the motion.

The House divided.

There appeared in favour of the motion: The Leader of the Opposition (Mr. Sullivan), Mr. Hodder, Mr. Shelley, Mr. Jack Byrne, Mr. Edward Byrne, Mr. Fitzgerald, Mr. Tom Osborne, Mr. Ottenheimer, Mr. French.

Against: The Hon. the Minister of Development & Rural Renewal (Mr. Tulk), the Hon. the Minister of Mines & Energy (Mr. Furey), the Hon. the Minister of Fisheries & Aquaculture (Mr. Efford), Mr. Walsh, the Hon. the Minister of Education (Mr. Grimes), the Hon. the Minister of Forest Resources & Agrifoods (Mr. K. Aylward), Mr. Barrett, the Hon. the Minister of Human Resources & Employment (Ms. Bettney), the Hon. the Minister of Environment & Labour (Mr. Langdon), the Hon. the Minister of Industry, Trade &

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Technology (Ms. Foote), the Hon. the Minister of Works, Services & Transportation (Mr. Matthews), the Hon. Minister of Government Services & Lands (Mr. McLean), Mr. Canning, Mr. Smith, Mr. Ramsay, Mr. Mercer, Mr. Reid, Ms. Thistle, Mr. Sparrow.

The Speaker declared the motion defeated.

The Member for Bonavista South (Mr. Fitzgerald) moved that the House adjourn and resume sitting at the regular hour on Friday morning.

The Speaker ruled the motion out of order because there had to be some intervening business.

Pursuant to order and on motion debate commenced on Second Reading of the Bill entitled, "An Act To Amend The Public Utilities Act" (Bill No. 44).

The Speaker recessed the House at 7:42 o'clock in the morning of December 19th, 1997 for breakfast.

The Speaker resumed the Chair at 8:48 o'clock in the morning of December 19th, 1997.

Debate continued and concluded on Second Reading of the Bill entitled, "An Act To Amend The Public Utilities Act" (Bill 44) and on motion it was ordered that Bill No. 44 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Public Utilities Act" (Bill 44) was read a second time and on motion it was ordered that Bill No. 44 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate commenced on Second Reading of the Bill entitled, "An Act To Amend The Public Tender Act" (Bill 53).

The Speaker recessed the House at 12:02 in the afternoon of December 19th for lunch.

The Speaker resumed the Chair at 1:00 o'clock in the afternoon of December 19th.

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Debate concluded on Second Reading of the Bill entitled, "An Act To Amend The Public Tender Act" (Bill No. 53) and on motion it was ordered that Bill No. 53 be read a second time presently.

On motion the Bill entitled, "An Act To Amend The Public Tender Act" (Bill 53) was read a second time and on motion it was ordered that Bill No. 53 be referred to a Committee of the Whole House presently.

Pursuant to order and on motion debate commenced and concluded on the following Resolution standing in the name of the Honourable the Minister of Justice and Attorney General (Mr. Decker):

"WHEREAS section 28 of the **Provincial Court Act, 1991**, requires the Lieutenant-Governor in Council to appoint a Tribunal to recommend the salaries and benefits of the Judges and Chief Judge of the Provincial Court of Newfoundland;

AND WHEREAS the Tribunal submitted its Report on the Salaries and Benefits of Provincial Court Judges to the Minister of Justice on February 21, 1997;

AND WHEREAS the House varied the recommendations of the Report by Resolution adopted April 22, 1997 as follows:

1. By deleting Recommendation 1 and substituting the following:
"1. The salaries of Provincial Court Judges be maintained at their current level pending further consideration by the Minister of Justice and the Chief Judge and the Judges of the Provincial Court."
2. By deleting Recommendation 2 and substituting the following:
"2 The differential between the salary of the Chief Judge and the other judges of the Provincial Court be \$5,000 so that the salary of the Chief Judge will be at all times \$5,000 higher than the salaries of the other judges of the court."
3. By deleting Recommendation 4(b).

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AND WHEREAS the Tribunal recommended in Recommendation 3 that a special pension plan for Provincial Court Judges be negotiated directly by the Provincial Court Judges Association and Government;

AND WHEREAS the Supreme Court of Canada, in September 1997, in the case known as Manitoba Provincial Judges Association v. Manitoba (Minister of Justice), established for the first time guidelines for an appropriate process to determine the salaries and benefits of Judges;

AND WHEREAS the **Provincial Court Act, 1991**, has recently been amended to ensure that the statutory process complies with the Supreme Court of Canada guidelines, and in particular, provides for a standing independent tribunal to prepare a report every 4 years, containing recommendations on the salaries and benefits of Provincial Court Judges;

AND WHEREAS the **Provincial Court Act, 1991**, now provides, in subsection 28.1(1), that the Minister of Justice may, at any time, refer a matter respecting salaries or benefits of judges to the tribunal for its review and recommendations and, in subsection 28.3(2), that the House may reconsider the Tribunal Report previously submitted and dealt with by the House on April 22, 1997 and may accept, reject or vary the Report as if it had not been previously dealt with;

AND WHEREAS the Minister of Justice intends to refer the matter of appropriate pension and severance benefits of Provincial Court Judges to the first standing tribunal appointed under the amended **Provincial Court Act, 1991**;

AND WHEREAS Government has decided to ask the House to rescind the Resolution adopted April 22, 1997, to accept Recommendations 1, 2 and 4 of the Report regarding salaries, and to reject Recommendation 3 regarding direct negotiation of a special pension plan by the Provincial Judges' Association and Government;

THEREFORE BE IT RESOLVED that this House:

1. Rescind the Resolution approved and adopted by the House on April 22, 1997 varying the Report on the Salaries and Benefits of Provincial Court Judges and the Chief Judge.

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2. Accept Recommendations 1, 2 and 4 of the Report on the Salaries and Benefits of Provincial Court Judges and the Chief Judge, with salary increases to be effective April 1, 1997, and
3. Reject Recommendation 3 of the Report on the Salaries and Benefits of Provincial Court Judges."

The Speaker put the question on the motion and declared the motion carried.

On motion the Honourable Government House Leader (Mr. Tulk) moved that the House resolve itself into Committee of the Whole House.

The Speaker left the Chair.

Mr. Oldford took the Chair of Committee of the Whole House.

The Committee considered and passed the Bill entitled, "An Act To Amend The Registered Nurses Act" (Bill No. 42).

The Committee considered and passed the Bill entitled, "An Act To Amend The Public Health Act" (Bill No. 43).

The Committee considered and passed the Bill entitled, "An Act To Amend The Nursing Assistants Act" (Bill No. 25).

The Committee considered and passed the Bill entitled, "An Act To Amend The Food And Drug Act" (Bill No. 7).

The Chairman recessed the Committee at 3:25 o'clock in the afternoon of December 19th.

The Committee resumed sitting at 3:43 o'clock in the afternoon of December 19th.

The Committee considered and passed the Bill entitled, "An Act To Amend The Wilderness And Ecological Reserves Act" (Bill No. 10).

The Committee considered and passed the Bill entitled, "An Act To Amend The Provincial Parks Act" (Bill No. 35).

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The Committee considered and passed the Bill entitled, "An Act To Amend The Mechanics Lien Act" (Bill No. 37).

The Committee considered and passed the Bill entitled, "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38).

The Committee considered and passed the Bill entitled, "An Act Respecting The Transfer Of The Personal Trusteeship And Agency Business Of Montreal Trust Company Of Canada And Montreal Trust Company To The Bank Of Nova Scotia Trust Company" (Bill No. 24).

The Committee considered and passed the Bill entitled, "An Act To Establish The Labrador Transportation Initiative Fund" (Bill No. 30).

The Committee considered and passed the Bill entitled, "An Act To Amend The Intergovernmental Affairs Act" (Bill No. 40).

The Committee considered and passed the Bill entitled, "An Act To Amend The Tobacco Tax Act", (Bill No. 36).

The Committee considered and passed the Bill entitled, "An Act To Amend The Financial Administration Act" (No. 27).

The Committee considered and passed the Bill entitled "An Act To Amend The Teachers' Pensions Act" (Bill No. 29).

The Committee considered the bill entitled, "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45).

The Honourable the Minister of Justice and Attorney General (Mr. Decker) moved the following amendments:

"1. That Subclause 3(1) of Bill No. 45 be amended by deleting the proposed subsection 4(2) and substituting the following:

"(2) A judge of the Trial Division is a judge of the Unified Family Court but a judge, other than a presiding judge of the Unified Family Court, may not preside over the Unified Family Court except on the request of the Chief Justice of the Trial Division."

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2. That Bill No. 45 be further amended by adding immediately after Clause 9 the following:

Commencement "10. This Act comes into force on a day to be proclaimed by the Lieutenant-Governor in Council."."

The Chairperson put the question on the amendments and declared the amendments carried.

The Committee passed Bill entitled, "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45) with amendments.

The Committee considered and passed the Bill entitled, "An Act To Amend The Judgment Enforcement Act" (Bill No. 46).

The Committee considered and passed the Bill entitled, "An Act To Amend The Family Law Act" (Bill No. 32).

The Committee considered and passed the Bill entitled, "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 26)

The Committee considered and passed the Bill entitled "An Act To Amend The Public Service Pensions Act, 1991 And The Uniformed Services Pensions Act, 1991" (Bill No. 34).

The Committee considered and passed the Bill entitled, "An Act To Amend The Memorial University Pensions Act" (Bill No. 39).

The Committee recessed at 6 o'clock in the evening of December 19th for dinner.

The Committee resumed sitting at 6:45 on the evening of December 19th.

The Committee considered and passed the Bill entitled, "An Act To Amend The Retail Sales Tax Act" (Bill No. 4).

The Committee considered and passed the Bill entitled, "An Act To Amend The Professional Fish Harvesters Act" (Bill No. 31).

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The Committee considered and passed the Bill entitled, "An Act To Amend The Environmental Assessment Act (Bill No. 49).

The Committee considered and passed the Bill entitled, "An Act To Amend The Workers' Compensation Act" (Bill No. 50).

The Committee considered the Bill entitled, "An Act To Amend The Labour Relations Act No. 2" (Bill No. 52).

After some debate in Committee, the Honourable the Minister of Education (Mr. Grimes) moved the following amendment:

"That Clause 3 of Bill No. 52 be amended by adding immediately after the proposed subsection 41.1(3) the following:

"(4) Notwithstanding subsection 49(2), membership in good standing in the council for the purpose of an application for certification and a vote on certification under section 38 and section 47 shall be membership in good standing in the council and not only the trade unions comprising the council."

The Chairperson (Mr. Oldford) put the question on the amendment and declared the amendment carried.

The Member for Kilbride (Mr. E. Byrne) moved the following amendment.

"That Clause 3 of Bill 52 be amended by deleting the period at the end of subparagraph 41.1(2)(b)(ii) and adding immediately following that subparagraph the phrase "to any greater extent than if a single union were certified."

The Chairperson put the question on the amendment and declared the amendment carried.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) moved the following amendment:

"That Clause 6 of Bill No. 52, be amended by adding in section 81.2 immediately following the words "that extended period" the words "which extended period in the case of an application to the Labour Relations Board shall not be greater than 60 days".

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The Chairperson put the question on the amendment and declared the amendment carried.

The Member for Kilbride (Mr. E. Byrne) moved the following amendment:

That Clause 6 of Bill No. 52, be amended by adding immediately following subsection 81.1(7) the following subsection:

"(8) Where a trade union or a council of trade unions and an employers' organization referred to in this section so agree, a single arbitrator satisfactory to the parties may be appointed instead of an arbitration board, and where a single arbitrator is appointed under this subsection, the arbitrator has the powers and duties conferred and imposed on an arbitration board formed in accordance with this section, and reference to a board of arbitration in these provisions shall be considered reference to a single arbitrator appointed in accordance with this subsection."

The Chairman put the question on the amendment and declared the amendment carried.

The Member for Signal Hill-Quidi Vidi (Mr. Harris) moved the following amendment:

"That Bill No. 52, be amended by adding immediately following Clause 7 the following Clause:

"8.(1) Subsection 34(1) of the Act is amended

- (a) by adding immediately following the words "authorized representative" wherever they occur the words "or representatives"; and
- (b) by adding immediately following the words "trade union" wherever they occur the words "or council of trade unions".

- (2) Subsection 34(2) of the Act is amended by adding in paragraph (a) immediately following the words "the employees" a comma and the words "the number of authorized representatives permitted"."

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The Chairperson put the question on the amendment and declared the amendment carried.

The Committee passed the Bill entitled, "An Act To Amend The Labour Relations Act No. 2" (Bill No. 52), with amendments.

The Committee considered the Bill entitled, "An Act To Amend The Public Utilities Act" (Bill No. 44).

The Honourable The Minister of Mines and Energy (Mr. Furey) moved the following amendment:

"That Bill 44 be amended by adding immediately after clause 1 the following:

"2. Section 3.1 of the Act is amended by adding immediately after subsection (2) the following

"(2.1) Subsection(1) shall not apply to the Newfoundland and Labrador Hydro-Electric Corporation, the Newfoundland Light & Power Co. Limited and the Deer Lake Power Company Ltd. and notwithstanding paragraph (2) (a) subsection (1) applies to the Corner Brook Pulp and Paper Limited."

The Chairperson put the question on the amendment and declared the amendment carried.

The Committee passed the Bill entitled, "An Act To Amend The Public Utilities Act" (Bill No. 4), with the amendment.

The Committee considered and passed the Bill entitled, "An Act To Amend The Public Tender Act" (Bill No. 53).

On motion the Committee rose.

The Speaker (Mr. Snow) resumed the Chair.

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The Chairperson of the Committee of the Whole (Mr. Penney) reported that the Committee of the Whole House had considered the matters to it referred and had passed the following Bills without amendment:

- A Bill, "An Act To Amend the Mechanics' Lien Act" (Bill No. 37)
- A Bill, "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38).
- A Bill, "An Act To Amend The Registered Nurses Act" (Bill No. 42).
- A Bill, "An Act To Amend The Public Health Act" (Bill No. 43).
- A Bill, "An Act Respecting The Transfer Of The Personal Trusteeship And Agency Business Of Montreal Trust Company Of Canada And Montreal Trust Company To The Bank Of Nova Scotia Trust Company" (Bill No. 24).
- A Bill, "An Act To Establish The Labrador Transportation Initiative Fund" (Bill No. 30).
- A Bill, "An Act To Amend The Intergovernmental Affairs Act" (Bill No. 40).
- A Bill, "An Act To Amend The Tobacco Tax Act" (Bill No. 36).
- A Bill, "An Act To Amend The Financial Administration Act" (Bill No. 27).
- A Bill, "An Act To Amend The Professional Fish Harvesters Act" (Bill No. 31).
- A Bill, "An Act To Amend The Provincial Parks Act" (Bill No. 35).
- A Bill, "An Act To Amend The Teachers' Pensions Act" (Bill No. 29).
- A Bill, "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 26).

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- A Bill, "An Act To Amend The Judgment Enforcement Act" (Bill No. 46).
- A Bill, "An Act To Amend The Family Law Act" (Bill No. 32).
- A Bill, "An Act To Amend The Public Service Pensions Act, 1991 and the Uniformed Services Pensions Act, 1991" (Bill No. 34).
- A Bill, "An Act To Amend The Memorial University Pensions Act" (Bill No. 39).
- A Bill, "An Act To Amend The Nursing Assistants Act" (Bill No. 25).
- A Bill, "An Act To Amend The Environmental Assessment Act" (Bill No. 49).
- A Bill, "An Act To Amend The Workers' Compensation Act" (Bill No. 50).
- A Bill, "An Act To Amend The Food And Drug Act" (Bill No. 7).
- A Bill, "An Act To Amend The Wilderness And Ecological Reserves Act" (Bill No. 10).
- A Bill, "An Act To Amend The Retail Sales Tax Act" (Bill No. 4).
- A Bill, "An Act To Amend The Public Tender Act" (Bill No. 53).

On motion it was ordered that Bills No. 37, 38, 42, 43, 24, 30, 40, 36, 27, 31, 35, 29, 26, 46, 32, 34, 39, 25, 49, 50, 7, 10, 4 and 53 be read a third time presently.

The Opposition House Leader (Mr. Hodder), on behalf of the Official Opposition, refused to give leave for the Third Reading of a Bill entitled, "An Act To Amend The Public Tender Act" (Bill No. 53).

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Various points of order were raised as to whether the Chair of the Committee had reported to the Speaker that the Committee had passed Bill No. 53.

By agreement, the Speaker left the Chair at 8:45 o'clock in the evening of December 19th for a short recess.

The Speaker resumed the Chair at 8:50 o'clock in the evening of December 19th.

The Chairperson of the Committee of the Whole House also reported that the Committee of the Whole House had considered the matters to it referred and had passed the following Bills with amendments and asked leave to sit again:

A Bill, "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45)

A Bill, "An Act To Amend The Labour Relations Act No. 2" (Bill No. 52)

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

The amendments to Bills No. 45, 52 and 44 having been read a first and second time, on motion it was ordered that Bills No. 45, 52 and 44 be read a third time presently.

On motion the report of the Committee was received and adopted and on motion it was ordered that the Committee have leave to sit again on tomorrow.

It was agreed that the House would proceed to give Third Reading of the above noted Bills with the exception of Bills No. 44 and 53.

Pursuant to order and on motion the following Bills were read a third time and passed:

A Bill "An Act To Amend The Mechanics' Lien Act" (Bill No. 37)

A Bill "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38)

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- A Bill "An Act To Amend The Registered Nurses Act" (Bill No. 42)
- A Bill "An Act To Amend The Public Health Act" (Bill No. 43)
- A Bill "An Act Respecting The Transfer Of The Personal Trusteeship And Agency Business Of Montreal Trust Company Of Canada And Montreal Trust Company To The Bank Of Nova Scotia Trust Company" (Bill No. 24)
- A Bill "An Act To Establish The Labrador Transportation Initiative Fund" (Bill No. 30)
- A Bill "An Act To Amend The Intergovernmental Affairs Act" (Bill No. 40)
- A Bill "An Act To Amend The Tobacco Tax Act" (Bill No. 36)
- A Bill "An Act To Amend The Financial Administration Act" (Bill No. 27)
- A Bill "An Act To Amend The Professional Fish Harvesters Act" (Bill No. 31)
- A Bill "An Act To Amend The Provincial Parks Act" (Bill No. 35)
- A Bill "An Act To Amend The Teachers' Pensions Act, 1991" (Bill No. 29)
- A Bill "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 26)
- A Bill "An Act To Amend The Judgment Enforcement Act" (Bill No. 46)
- A Bill "An Act To Amend The Family Law Act" (Bill No. 32)
- A Bill "An Act To Amend The Public Service Pensions Act, 1991 And The Uniformed Services Pensions Act, 1991" (Bill No. 34)
- A Bill "An Act To Amend The Memorial University Pensions Act" (Bill No. 39)

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A Bill "An Act To Amend The Nursing Assistants Act" (Bill No. 25)

A Bill "An Act To Amend The Environmental Assessment Act" (Bill No. 49)

A Bill "An Act To Amend The Workers' Compensation Act" (Bill No. 50)

A Bill "An Act To Amend The Food and Drug Act" (Bill No. 7)

A Bill "An Act To Amend The Wilderness And Ecological Reserves Act" (Bill No. 10)

A Bill "An Act To Amend The Retail Sales Tax Act" (Bill No. 4)

A Bill "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45)

A Bill "An Act To Amend The Labour Relations Act" (Bill No. 52).

On motion it was ordered that the said Bills be printed being entitled as above and that they be submitted to His Honour the Lieutenant-Governor for His Assent.

By leave, pursuant to order and on motion the following Bills were read a third time and passed:

A Bill "An Act To Amend The Public Utilities Act" (Bill No. 44)

A Bill "An Act To Amend The Public Tender Act" (Bill No. 53).

On motion it was ordered that the said Bills be printed being entitled as above and that they be submitted to His Honour the Lieutenant-Governor for His Assent.

By leave, the Honourable the Speaker (Mr. Snow) tabled the Report of the Commission of Internal Economy for the period April 1, 1996 to March 31, 1997.

The House recessed for fifteen minutes to await the arrival of His Honour the Lieutenant-Governor.

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At 9:30 o'clock in the evening of December 19th, 1997 the Sergeant-at-Arms announced the arrival of His Honour the Lieutenant-Governor.

The Speaker left the Chair.

His Honour the Lieutenant-Governor took the Chair.

The Speaker addressed His Honour the Lieutenant-Governor as follows:

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

Whereupon the Clerk read the following Bills:

A Bill "An Act To Revise The Law Respecting The Operation Of Schools In The Province" (Bill No. 41)

A Bill "An Act To Amend The Shops' Closing Act No. 2" (Bill No. 48)

A Bill "An Act To Amend The Mechanics' Lien Act" (Bill No. 37)

A Bill "An Act To Enable Information To Be Filed Electronically By Business" (Bill No. 38)

A Bill "An Act To Amend The Registered Nurses Act" (Bill No. 42)

A Bill "An Act To Amend The Public Health Act" (Bill No. 43)

A Bill "An Act Respecting The Transfer Of The Personal Trusteeship And Agency Business Of Montreal Trust Company Of Canada And Montreal Trust Company To The Bank Of Nova Scotia Trust Company" (Bill No. 24)

A Bill "An Act To Establish The Labrador Transportation Initiative Fund" (Bill No. 30)

A Bill "An Act To Amend The Intergovernmental Affairs Act" (Bill No. 40)

A Bill "An Act To Amend The Tobacco Tax Act" (Bill No. 36)

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- A Bill "An Act To Amend The Financial Administration Act" (Bill No. 27)
- A Bill "An Act To Amend The Professional Fish Harvesters Act" (Bill No. 31)
- A Bill "An Act To Amend The Provincial Parks Act" (Bill No. 35)
- A Bill "An Act To Amend The Teachers' Pensions Act" (Bill No. 29)
- A Bill "An Act To Amend The Public Service Pensions Act, 1991" (Bill No. 26)
- A Bill "An Act To Amend The Judgment Enforcement Act" (Bill No. 46)
- A Bill "An Act To Amend The Family Law Act" (Bill No. 32)
- A Bill "An Act To Amend The Public Service Pensions Act, 1991 And The Uniformed Services Pensions Act, 1991" (Bill No. 34)
- A Bill "An Act To Amend The Memorial University Pensions Act" (Bill No. 39)
- A Bill "An Act To Amend The Nursing Assistants Act" (Bill No. 25)
- A Bill "An Act To Amend The Environmental Assessment Act" (Bill No. 49)
- A Bill "An Act To Amend The Workers' Compensation Act" (Bill No. 50)
- A Bill "An Act To Amend The Food And Drug Act" (Bill No. 7)
- A Bill "An Act To Amend The Wilderness And Ecological Reserves Act" (Bill No. 10)
- A Bill "An Act To Amend The Retail Sales Tax Act" (Bill No. 4)
- A Bill "An Act To Amend The Judicature Act And The Unified Family Court Act" (Bill No. 45)

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A Bill "An Act To Amend The Labour Relations Act No. 2" (Bill No. 52)

A Bill "An Act To Amend The Public Utilities Act" (Bill No. 44)

A Bill "An Act To Amend The Public Tender Act" (Bill No. 53).

His Honour the Lieutenant-Governor then said, "In Her Majesty's Name, I Assent to these Bills".

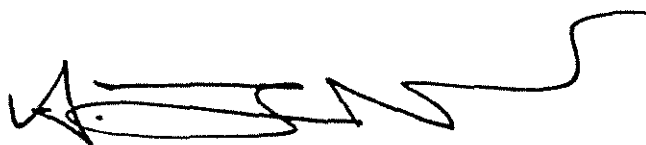
His Honour the Lieutenant-Governor addressed the Chamber by wishing all Members and their families Seasons Greetings. The Honourable the Premier (Mr. Tobin), followed by the Opposition House Leader (Mr. Hodder) responded.

His Honour then left the Chamber.

The Speaker resumed the Chair.

The Honourable the Government House Leader (Mr. Tulk) moved, "That when this House adjourns today, it stands adjourned until the call of the Chair. The Speaker, or in his absence from the Province the Deputy Speaker, may give notice and thereupon the House shall meet at the time and date stated by the notice of the proposed sitting. And I also move that this House now adjourn."

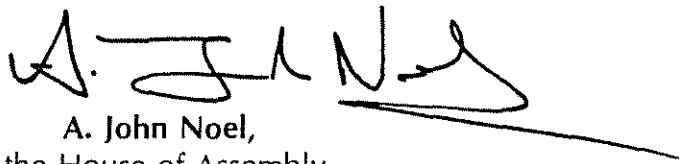
On motion the House then adjourned at 9:45 o'clock in the evening of December 19th, 1997.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long, wavy flourish extending to the right.

A. John Noel,
Clerk of the House.

Friday, January 30th, 1998

Be it known on this day in accordance with section 13 of the **Auditor General Act**, the Auditor General submitted to the Honourable the Speaker her Annual Report for the fiscal year ended March 31, 1997.

A handwritten signature in black ink, appearing to read 'A. John Noel', with a long horizontal line extending to the right from the end of the signature.

A. John Noel,
Clerk of the House of Assembly.