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VERBATIM REPORT

THURSDAY, JUNE 18, 1970

SPEAKER: THE HONOURABLE GEORGE W. CLARKE

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order!

PRESENTING PETITIONS

MR. A. J. MURPHY: (LEADER OF THE OPPOSITION): Mr. Speaker, I have here a letter from the District of Ferryland and it is with reference to petitions for roads. They asked me to support a petition that was submitted to the Premier on June 4th. Now what the legal or moral implications are of presenting petitions in this House, I do not know. But I feel that to be just to those people who have no member in this House, and possibly will not have one for some time, with passed experiences to be taken; I would like to read the purpose of the petition. Now whether that is in order or not, I do not know Sir, but it is enclosed in a letter to the Premier.

With leave of the House, Sir, I would like to -

MR. SPEAKER: I think that possibly the correct time to do this would be on Orders of the Day, to make inquiries about a petition which is alleged to have been presented and make some inquiries and make some comments. The Order is, Presenting petitions. The hon. the member for St. John's Centre is not now presenting a petition, is he?

MR. MURPHY: Well the prayer of the petition is with reference to roads.

I mentioned to the Premier on two occasions in the past week with reference to this petition. His enthusiasm was a little less than I expected, to presenting the petition I am just wondering. I want to make this petition clear, as, I, Leader of the Opposition, am trying to the best of my ability to fulfill the prayer of a district that has no representative. So with the permission of the House, a bit later on I would like to present this letter and also the accompanying letter to the Premier.

ORDERS OF THE DAY

MR. MURPHY: Mr. Speaker, before we go into Orders of the Day, I would like to indicate to this House a matter that has come to my attention.

It is in reference to a petition passed to the Premier on May 12th. with reference to roads in Ferryland District. As I said earlier, there is no sitting member in the House at this time, due to the resignation of the hon. Mr. Maloney. I would like to read into the record of the House the copy of the letter to me and also a copy of the letter to the Premier.

MR. SPEAKER: I would suggest that the hon. member tell us the contents of the letter without reading it into the record.

MR. MURPHY: Well actually the letter to me is with reference to a petition presented to the Premier, containing some 1150 signatures, regarding roads in the District of Ferryland asking me to support a petition. As I mentioned, that was passed to the Premier. This deals with the condition of roads in the Ferryland District and with reference to a request that the roads be paved. It also deals with a matter where the Premier in 1965 promised the voters of Ferryland District that there would be at least fifteen miles of road paved in that district.

MR. SMALLWOOD: Each year.

MR. MURPHY: Each year, So that is five years ago, Sir, They are quite upset with the statement of the highroads department that there are only going to be five miles of road - five mile stretch from Cape Broyle to Ferryland, Basically that is the intent of the letter. I may say that these people are quite upset. They have no sitting member to fight their cause. They submitted this to the Premier on May 12th, and to this date there has been no word heard in this House about this petition. As I said, I went to the Premier on two occasions and asked him was he presenting

MR. MURPHY: the petition. His response, as I said earlier, was some what less than enthusiastic to presenting this petition.

So on behalf, not only of myself but of the Opposition whose duty it is to carry out the wishes of any district of this Province, I would like to put on record, Sir, that I support the prayer of the petition, and if the prayer of the petition and the petition ever comes to light, I will support it again.

MR. CROSBIE: Mr. Speaker, we would like to say that we also support this petition, which has not been as yet presented to the House, But we support the Leader of the Opposition's presentation of this petition that the hon. Leader is trying to present to the House. We congratulate him for his pertinacity in this matter and hope that this road building program will be expedited during the coming summer.

MR. COLLINS: Mr. Speaker, I would certainly like to support the efforts of the Leader of the Opposition in bringing the roads needs of the people of Ferryland District to the attention of the House. In that connection, Sir, I would like to direct a question to the Deputy Premier and ask him, this morning, if he can inform the House just when a by-election is going to be held in Ferryland to give the people down there an opportunity to -

AN HON. MEMBER: You are worried a lot, I know.

MR. COLLINS: Sure, sure we are worried, Mr. Speaker. We are missing a member in the House and the people of that district are without representation. Maybe the Deputy Premier could tell us when we can expect -

AN HON. MEMBER: Can that vote be made Conservative?

HON. F.W. ROWE: (MINISTER OF EDUCATION): Mr. Speaker, I rise, not to answer the hon. gentleman's question but to support the petition, the

MR. ROWE: first part of which I did not hear but I assume it is a petition for a continuation of the paving of the road on the Southern Shore.

MR. STRICKLAND: The petition has not been presented yet.

MR. ROWE, F.W. At least that was - if it has not been -

MR. WELLS: Inaudible.

MR. ROWE, F.W. I would like to point out, Mr. Speaker, that already we have paved over the years a goodly portion of the Southern Shore road and that I do not think there is any doubt, in anybody's mind, but that work will continue and will continue as fast as it is -

I will submit, Mr. Speaker, that no one actually knows at this moment how many inches or yards or even miles of road will be paved between now and let us say the end of October.

AN HON. MEMBER: Inaudible.

MR. ROWE, F.W. A good deal depends on the progress of work in rebuilding a road and, secondly, on the nature of the fall. We have had falls when it started to snow in October, and has continued to snow right on through the fall and winter. We have also had falls when you could pave. This happened one year when I was the Minister of Highways, when you could pave right up until Christmas. That does not happen very often but it makes a big difference.

Mr. Speaker, I would like to support this, (I do not know what you would call it), whatever it is, not a petition yet I understand.

I would like to support the idea because in my view there is no more beautiful part of Newfoundland than the Southern Shore, what we call the Southern Shore, running from St. John's down to Trepassey, apart from the fact that you have some of the finest fishermen, and some of the finest citizens in this Province on that shore. I am not saying this with any ulterior motive at all in mind. This is an established fact. They have been there for over two hundred years, in fact I suppose some of them their families have been there for nearly four hundred years. But, apart

MR. ROWE, F.W. from that altogether, it is also a very great tourist attraction, the fishing villages and the people and the scenery -

AN HON. MEMBER: Inaudible.

MR. ROWE, F.W. That is right, This is true not only of the Southern Shore, My hon. friend should not be so disgusted over it, I mean, this is true of a good many hundreds of miles of road. This is true, for example, of the entire road from Gambo on the northside of Bonavista Bay on to Gander Bay and up to Gander. This is true, the entire road, a hundred and thirty miles, is it not. True.

Mr. Speaker, I would like to give my support to this idea and, I take it, to this potential petition for the paving of the Southern Shore road.

ORDERS OF THE DAY

MR. CROSBIE: Mr. Speaker,

HON. MEMBERS: Inaudible.

MR. SPEAKER: Order, please!

MR. HICKMAN: Mr. Speaker, before Orders of the Day, I would like to direct - particularly as this is the last day in which we will have an opportunity to get some information that is vital to the Province - I would like to direct a question or questions to the hon. the Acting Premier or alternatively the Minister of Finance. Would either of these or both of these gentleman confirm that Government has called for and there is on going an investigation by Winfield Chemical Industries Limited of Woodstock, New Brunswick, into Sea Mining Corporation? And, if that is correct - and it is correct, I am sure, that the investigation has been initiated by Government, would the hon. the Minister of Finance or Acting Premier give this House a report on the status of the investigation?

MR. CROSBIE: Who is the Acting Premier?

MR. CALLAHAN: The Deputy Premier.

MR. HICKMAN: The Deputy Premier or the Acting Premier.

MR. MURPHY: It all depends on what comes up.

HON. MEMBERS: Inaudible.

MR. HICKMAN: Well may I repeat the question to the hon. Minister of Justice and Acting Premier. Would he report to the House the status of the investigation that is being conducted into Sea Mining Corporation on behalf of Government by Chemical Industries Limited of Woodstock, New Brunswick?

MR. CURTIS: Mr. Speaker, I have no information on it at all.

MR. HICKMAN: Could the hon. minister confirm -

MR. CURTIS: I cannot even confirm if there is an investigation, It is the first time I heard of it.

MR. CROSBIE: Mr. Speaker, I would like to ask a question of the Acting Premier, who, I believe, is the Minister of Justice -

MR. CURTIS: You seem to be sure.

MR. CROSBIE: Well I thought that the Deputy Premier would be Acting Premier when the Premier was out of the Province, but apparently the Deputy is not acting.

MR. ROWE, F.W. My hon. friend thought wrong.

MR. CROSBIE: He is not an acting-deputy.

MR. CURTIS: If my hon. friend would like to be Attorney General, I would be glad to talk it over with him.

MR. CROSBIE: Mr. Speaker, this may be the last day we will see the Acting Premier acting or in any other capacity in this House.

MR. CURTIS: I hope so.
that

MR. CROSBIE: In connection - he deserves a well-earned retirement.

I had a question, Mr. Speaker, and the question is this - there are 121 questions on the Order Paper unanswered, as of this moment: Will the Government be answering these questions before the session closes today

MR. CROSBIE: or tomorrow? If not, when might we expect to get the answers to these 121 questions?

MR. COLLINS: You might find them in the Bulletin.

MR. CURTIS: That is a very difficult question to answer, Mr. Speaker, we have endeavoured to answer all the questions. We have asked the various ministers to answer them all. As my hon. friend knows, there is no obligation to answer questions, but certainly we intent to answer them. I know definitely we will not be able to answer them before the House closes.

MR. CROSBIE: I have another question, Mr. Speaker, for the Acting Premier.

That is, can the Acting Premier tell us whether or not the Shaheen group, in accordance with their obligation under the Government of Newfoundland Refining Company Agreement, have arranged the sale of \$30 million in bonds to be guaranteed by the Government of Newfoundland? Has the sale of bonds been completed and is the project, therefore, going to proceed?

AN HON. MEMBER: Inaudible.

MR. CROSBIE: Fifteen year bonds.

MR. CURTIS: Well we are expecting a report on that matter, Mr. Speaker, momentarily.

MR. HICKMAN: Again on Come-by-Chance, Mr. Speaker, a question to the Acting Premier. Would he care to comment on the statement this morning of Captain Stuart Wallis, late of the Newfoundland Refining Company Limited, who says that this project cannot proceed under present management? Is there any thought of changing management of Come-by-Chance?

What does he know about that?

MR. CURTIS: I would not care to comment, I know nothing about it.

MR. HICKMAN: Well may I direct a question to the hon. the Minister of Highways? Can the hon. Minister of Highways confirm to the House that

MR. HICKMAN: the bamboo curtain that stretches across that public highway to Come-by-Chance has now been removed, on his orders, and that the road is now once again open to the public?

MR. STARKES: I cannot report on that now, but I will later.

MR. CROSBIE: Mr. Speaker, I would like to ask the Minister of Justice and Acting Premier, whether he can report to the House now on the results of the investigation of the case of Fred Tremblett and Gus Tremblett of Grand Falls and Winsor, who were removed from the Churchill Falls site and were suppose to appear in Magistrates Court there on June 11th? Was the trial held on June 11th. at the Magistrates Court at Churchill Falls or what has happened with respect to these two men?

MR. CURTIS: That matter, Mr. Speaker, has been looked after by my Deputy. He tells me that it has been arranged, but I am not familiar with the details. All I can tell the House is this; I can assure the House that justice will be done and the interest of the men will be fairly protected.

MR. MURPHY: Mr. Speaker, I would like to direct a question to the Minister of Labour. Re: the refusal of the company on behalf of the fishermen of the St. Barbe Coast, the refusal of the company with which they are dealing there, Fishery Products, to recognize their union, has this been brought to the attention of the Department of Labour and, if so, what action have been taken, Sir?

MR. KEOUGH: Mr. Speaker, it has not been brought to my attention officially. All I know is what I have read in the newspaper. Of course, a group of plant workers, workers at a fish plant, workers on a fishing boat, they can make their own deal with a plant owner or an employer. and, if they cannot deal with them, they can organize a union and, if they get fifty-one percent of the employees, they can apply to the Labour Relations Board for certification. And if the Labour

MR. KEOUGH: Relations Board certifies them, then the employer has to deal with them.

MR. CROSBIE: Mr. Speaker, I would like to ask the Acting Premier, in connection with the proposed lay-off at the St. John's Dockyard, the Minister of Health told the House several days ago that the Government have made representations to Ottawa, albeit the Minister of Transport, to obtain more work for the St. John's Dockyard so this lay-off could be avoided. Have the representations that were supposed to have been made by the Government been responded to or have they been successful? Has anything been heard further from Ottawa?

MR. CURTIS: I only thing that I can say at the moment, Mr. Speaker, that the Premier is at the moment in Ottawa.

MR. CROSBIE: Mr. Speaker, I would also like to ask the Acting Premier - the House was informed that within a month, and that was a month ago, the Government's White Paper proposals on the Bonne Bay Park, in the Northern Peninsula, would be accepted by the Government of Canada. Has the Acting Premier been informed by the Government of Canada that the so-called White Paper proposals have been accepted?

MR. CURTIS: We have no answer.

MR. MURPHY: Mr. Speaker, just one last question, as far as I am concerned, and that is with reference to legislation on the Order Paper. It is the purpose to deal with Order seven today, and that is respecting the pension plan for the constabulary force of Newfoundland, I wonder are we going to go into that Bill today, because I feel that it is very important?

MR. CURTIS: Yes.

MR. MURPHY: We are. Thank you!

MR. HICKMAN: Mr. Speaker, may I direct a question to the hon. the Minister of Education. Quite some time ago now, it must have been about two months ago, there was tabled in this House an answer to a question that

MR. HICKMAN: I had asked, correspondence concerning the resolution that was unanimously passed in this House last year to recognize the Pentecostal Denomination as an educational authority under the Education Act. It that time the correspondence that was tabled indicated that Mr. Andrew Chatwood, who we were told was part of the Government of Canada, had send it to the Department of Justice in Ottawa, That was some time in January or February. Has the Minister of Education received any indication, or Government, from the Federal Department of Justice or any other appropriate department in Ottawa indicating that the necessary steps would be taken to implement the resolution that was passed by this House?

MR. F.W. ROWE: Mr. Speaker, as your Honour knows that was handled through the Premier's office and through your Honour's office as well, in the initial stages. The matter was dealt with here formerly at our level and forwarded to Ottawa. I am not aware, I am not aware that any, in fact, I have discussed this very matter with the Premier only; I think it was, yesterday morning, if not yesterday the day before.

I am not aware that any formal action has been taken in Ottawa, I believe that, the hon. the Premier has this on his agenda for discussion while he is in Ottawa.

Now we have gone through all the steps that we were suppose to take and, I think your Honour would collaborate that statement. We have, at this level. we have gone through all the steps we were suppose to take and the matter now rests in the lap of the Government of Canada, or perhaps I should say, in the lap of the Parliament of Canada.

MR. CROSBIE: Mr. Speaker, I would like to ask the Minister of Provincial Affairs; is there any truth to the report that the Government of Newfoundland will be holding an official banquet in honour of Captain Wallis, late of the Newfoundland Refining Company?

AN HON. MEMBER: A brunch. A brunch.

AN HON. MEMBER: A cocktail party.

ORDERS OF THE DAY

Motion, Second Reading of a Bill, "An Act To Amend The Apprenticeship Act, 1962."

MR. KEOUGH: Mr. Speaker, since this is the first opportunity I have had of doing so, I wonder if the House would mind if I digressed for one moment to apologize for my absence from the House for a number of days past which was due to medical advice. As a matter of fact, I should not be here now, but this is not the first time I have not done what I was told to do. But I did not win this floor over for this reason.

What I would like to do is to make a request of the House, if I should flake out on the floor, and in the good old Newfoundland expression, "kick the bucket" I would like to be buried in a welfare coffin on the Bill of Cape St. George, I would like to hear the hon. the Minister of Health top that one. He can be buried in his welfare coffin, if he wants to, but I staked out the Bill of Cape St. George twenty-five years ago.

AN HON. MEMBER: Inaudible.

MR. KEOUGH: No comment.

With regard to the Bill, Mr. Speaker, the Justices Department advices that there are some questions to whether authority exists for making regulations which prescribes the functions and duties that maybe performed by persons in designated trades. As far as I can figure out, what they want is, if you could turn to page, the main Act, Section twenty-three, they want the word "and" deleted from

Mr. Keough.

Paragraph (a) of subsection (1) and they want the word, "and" added to subparagraph (4) of paragraph (a). They want section (5) added as set forth in the Bill. I do not understand it, but there it is.

On motion a Bill, "An Act To Amend The Apprenticeship Act, 1963," read a second time, ordered referred to a Committee of the Whole House presently.

Motion, second reading of a Bill, "An Act To Provide For The Abatement And Control Of Pollution Of Air, Soil And Water And For The Conservation And Use Of Water As A Natural Resource Of The Province : To Provide An Aid Towards The Centralization And Coordination Of The Multiformal Controls Over The Use Of Water Generally By The Creation Of An Authority As An Arm Of Government." (Adjourned debate.)

MR. CALLAHAN: Mr. Speaker, there is just one..

MR. SPEAKER: If the hon. minister speaks now, he closes the debate on it.

MR. CALLAHAN: There is just one comment I would like to make, Mr. Speaker in respect of the single objection there was yesterday to the location of the responsibility for administration of the Bill, in Mines, Agriculture and Resources. Very simply I want - the suggestion, of course, that it should be located in the Department of Health, I simply want to tell the House that nowhere in Canada, either in the Federal field or in the Provincial field in any of the provinces, is this matter, this general matter of pollution, located in a department of health. In fact, in eight of the provinces and in the Federal administration, the responsibility falls, indeed, under the responsibility of the appropriate minister - being the Minister

Mr. Callahan.

responsible for Resources in the Province and, in the federal administration, where it is the Minister of Energy, Mines and Resources.

The only exception to that are the hon. Mr. Rusty of Alberta and the hon. Mr. Akerley of Nova Scotia, both of whom are found members of the Council of Resource Ministers which as the national co-ordinating body is the body responsible for the whole matter of pollution.

Indeed, the first national initiative made in the field was made by the Resource Ministers' Council who sponsored the conference - the national conference on pollution in the environment in 1966.

It would be flying in the face of practice and convention to locate this matter anywhere but in the Department of Resources.

The other thing is that, while Health is certainly a very important aspect of the total pollution consideration, the problem itself transcends Health and also other specific activities and agencies and responsibilities of the Government and this precisely is why we have made Statutory provision for the membership of these other departments, including the Department of Health in the authority.

This, I might say, too, was discussed at considerable length with my colleague the Minister of Health. The decision was that there should not be in any sense a divided authority and that it had to be placed firmly under a particular minister, not as in the old Bill, which divided the final authority and that, in view of the fact that this really is a resource management,

Mr. Callahan.

even though it impinged on other areas, it should be located in the Department of Resources. I simply wanted to make that clear.

On motion a Bill, "An Act To Provide For The Abatement And Control Of Pollution Of Air, Soil And Water And For The Conservation And Use Of Water As A Natural Resource Of The Province: To Provide An Aid Towards The Centralization And Coordination Of The Multifarm Controls Over The Use Of Water Generally By The Creation Of An Authority As An Arm Of The Government," read a second time, ordered referred to a Committee of the Whole House presently.

On motion of the hon. the Minister of Justice, a Bill, "An Act Respecting The Consolidation And Revision Of The Statutes Of Newfoundland," read a first time, ordered read a second time presently by leave.

On motion of the hon. the President of the Council, a Bill, "An Act To Amend The Water Protection Act, 1964," read a first time, ordered read a second time presently.

On motion of the hon. the President of the Council, A Bill, "An Act Respecting Collective Bargaining Between The Government Of The Province And Its Employees And Certain Other Employees," read a first time, ordered read a second time presently.

On motion of the hon. the President of the Council, a Bill, "An Act To Ratify, Confirm And Adopt An Agreement Made Between The Government And Radex Minerals Limited, And To Make Certain Provisions Relating To That Agreement, read a first time, ordered read a second time presently.

On motion that the House go into Committee of the Whole on Bills no. 84 and 51. Mr. Speaker, left the Chair.

COMMITTEE OF THE WHOLE:

A Bill, "An Act To Provide For The Abatement And Control Of Pollution Of Air, Soil And Water And For The Conservation And Use Of Water As A Natural Resource Of The Province: To Provide An Aid Towards The Centralization And Coordination Of The Multiformal Controls Over The Use Of Water Generally By The Creation Of An Authority As An Arm Of The Government.

On motion Clauses (1) - (18) carried.

MR. CURTIS: -I move that the Committee rise report progress and ask leave to sit again on that Bill.

MR. WELLS: Or let the remainder of the Bill stand: There are a couple of amendments - proposed amendments being drafted. Would you let the remainder of this stand and consider it again later? Okay. Now we will do the other one.

A Bill, "An Act To Amend The Apprenticeship Act, 1962.

On motion Clauses (1) and (2) carried.

Motion that the committee report having passed the Bill without amendment. Carried.

On motion that the committee rise report having passed the Bill, "An Act To Amend The Apprenticeship Act, 1963," made progress and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. HODDER: Mr. Speaker, the Committee of The Whole have considered the matters to them referred and have directed me to report having passed Bill no 51 without amendment, made some progress on Bill no. 84 and ask leave to sit again.

On motion report received and adopted, ordered read a third time now by leave.

On motion, a Bill, "An Act To Amend The Apprenticeship Act, 1962," read a third time, ordered passed and title be as on the Order Paper.

On motion committee ordered to sit again presently by leave.

Second Reading of a Bill, "An Act Further To Amend The Revenue And Audit Act,"

HON. E. JONES (Minister of Finance): Mr. Speaker, a message from his Honour the Lieutenant Governor.

MR. SPEAKER: "In accordance with Section 5 of The Revenue And Audit Act, Chapter 31 of the Revised Statutes of Newfoundland, 1952, as amended, and the British North America Act, 1867, I, the Lieutenant Governor of the Province of Newfoundland, transmit certain provisions amending the said Revenue and Audit Act and I recommend the said amendment to the House of Assembly.

Sgd. E. John A Harnum,
Lieutenant Governor."

On motion that the House go into Committee of the Whole on these Resolutions. Mr. Speaker left the Chair.

Resolution: To bring in a measure further to amend The Revenue And Audit Act.

MR. CROSBIE: Mr. Chairman, we will discuss the Bill. It is the easiest way to do it. Does the minister want to speak first or ...?

MR. JONES: Mr. Chairman, I will give a brief outline of the effect of these amendments to the Revenue and Audit Act. The first one is that it provides for the appointment of a president to Treasury Board in the place of the chairman of the board and authorizes any minister appointed by the Lieutenant-Governor in Council to be president of the Treasury Board other than the Minister of Finance as it is at the present time.

Another amendment would authorize the Government to invest revenues directly into the Newfoundland Municipal Financing Corporation and the Newfoundland Industrial Development Corporation and to deposit funds in any bank approved prior by the Lieutenant Governor-in-Council.

Mr. Jones.

The present legislation only authorizes the Government to deposit money in a bank registered under the Bank Act of Canada.

A further amendment, Section 4 - the first part of Section 4 relates to the investment of sinking fund monies and was changed to improve the present legislation. It authorizes the Government now to invest in bonds and debentures of companies which basically have rental purchase agreements with the Governments. It also provides that the Government cannot part with the ownership of any of the shares of such a company until all securities have been redeemed by the company.

The second part of the same section, Mr. Chairman, provides the Government with the authority to borrow in so called multi-currency loans. This type of vehicle is now popular in the Euro dollar markets and provides for the Government that while it receives a loan in one currency, it has the option to express such a loan in any number of selected currencies and such loan may upon the approval of the lender be redeemed and any option provided. The lenders - the people that lent us the money are insisting that legislative provision be made for this in order for the Government to take advantage of all the options available under the loan agreement.

Some other amendments, Mr. Chairman, are just a matter of redrafting. There is a provision made for the payment of a salary to the comptroller of \$25,000 a year. Also, further provision is made to pay the auditor general the same salary as the comptroller that of \$25,000 a year. This is putting the salary of

Mr. Jones.

the comptroller and the auditor general on the same level. This has been traditional up until a few years ago. That section 8 and 9, Mr. Chairman, have been done on the advice of the auditor general and takes care of some of the complaints which he had in his report on the Public Accounts in 1968-1969 as to the method of auditing and checking and reporting the accounts. I move second reading, MR. CROSBIE: Mr. Chairman, we have reviewed these amendments of the Revenue and Audit Act and compared them with the previous Act and amendments. I do not think there is any serious objections but there are a few things that should be pointed out. It was Section 3 of the present Bill that amends the Revenue and Audit Act. The law, previous to this Bill, if this Bill is passed the law will be changed. The law previous to this Bill was that it was only legal or valid for the Government of Newfoundland to invest monies from the consolidated revenue fund by way of deposit in any bank to which the Bank Act of Canada applied. That is the law now, Mr. Chairman. It was the law of last year. It was the law the year before and it has been the law and will continue to be the law unless this piece of legislation is passed.

Now Section 19 stated before this time that the Government could invest any portion of the consolidated revenue fund by way of deposit in any bank to which the Bank Act of Canada applies. Now we were told in this House a month or several months ago, Mr. Chairman, by the hon. the Premier, that the Government had deposited an amount of about \$1 million in the Franklin National Bank of New York and that the Government had this deposit and made it some months ago and was earning - it was deposited with the Franklin National Bank, earning some interest. At that time the hon. member for Burin raised a question

MR. CROSBIE: The Government had this deposit made some months ago, and it was a deposit at the Franklyn National Bank earning some interest. At that time, the hon. Member for Burin raised the question whether or not it was legal and in accordance with the Revenue and Audit Act, for the Government to have deposited any monies in any bank outside of this Province. This amendment is now being brought in to legalize - to legitimize what the Government has done by making a deposit in the Franklyn National Bank. The Government of this Province has ignored the laws of this Province, has ignored the Revenue and Audit Act by depositing the sum of \$1 million in the Franklyn National Bank of New York, when it did not have the legal power to do so. This amendment, section 3, of the amending Bill, is to make legitimate what was made ultra vires, this action of the Government.

Section 3, of the Bill, the last section of this Act, section 11, states that section 3 shall be deemed to have come into force on the 28th. day of May, 1968. In other words, it is going to go back and say that the law since May 28, 1968, has been that the Government could deposit monies in banks other than to which the Bank Act of Canada applies. This deposit in the Franklyn National Bank was probably made around May 28, 1968. The point is Mr. Chairman, that the Government should be censured for having ignored or disobeyed the laws of this Province by making a deposit in the Franklyn National Bank in New York, when the laws of this Province forbade the Government to do that, when the Lieutenant Governor in Council only had authority to invest parts of the Consolidated Revenue Fund in Canadian Banks - Banks to which the Bank Act of Canada applied. Section 3, is to now make legal an illegal act of the Government, the investment of public funds of this Province in banks located outside of Canada. We should be very clear on that - that section 3 of the Bill which amends section 19 of the Act, is to cure an illegal act of the Government.

Now, Mr. Chairman, ⁱⁿ any ordinary Parliamentary situation the Government would have to resign. The Government has committed an illegal act in dealing with the public funds of this Province, the Consolidated Revenue Funds, by

making a deposit of \$1 million in the Franklyn National Bank in New York, the Premier should tender his resignation immediately to the Lieutenant Governor, or should ask for a dissolution of the House and go to the people.

Now perhaps in Newfoundland the people do not care, perhaps nobody thinks that this is important, but I think it is of the first importance that the Government has now publicly admitted that it has defied, disobeyed and ignored the laws of the Province by depositing money outside Canada when it had no power or authority to do it.

Apart from that point, the other amendments that the minister is introducing - of the Treasury Board, investing sinking fund money in lease-back bonds and so on, under section 4, I cannot see anything wrong with that. The other clauses to make it easier to invest in Euro dollars or in different foreign currencies, I think that flexibility is needed. The same thing with temporary loans. The comptroller, now of Finance, is to be paid \$25,000. a year which is an increase of I think. \$10,000. over the past. It was \$15,000. I believe, but the Comptroller of Finance does not receive any remuneration now except this \$25,000. I presume that this is correct. The previous Deputy Minister of Finance received a salary as Comptroller and Deputy Minister of Finance and also as financial advisor to the Premier. The present Deputy Minister of Finance is not, I believe, the financial advisor to the Premier and he is only receiving one salary. Would that be correct?

MR. JONES: I will speak on that when I close the debate.

MR. CROSBIE: The minister will deal with it when he speaks. "Speak! oh toothless one."

The Auditor General's salary has been increased to \$25,000. a year also, I think. I certainly have no objection to that - that is reasonable. The Auditor General must be a first-class man .

Section 9 of the Bill is also important. I think the minister said that the Auditor General had approved this - that section. This brings the wording of the auditing section of the Revenue and Audit Act into modern form and replaces wording that must have originated many, many years ago. So that now the Auditor General will audit the books of the Province in accordance

with modern accounting - public accounting principles. I certainly agree with that. It should be much, much clearer.

The only serious, not objection to the Bill, because, obviously Mr. Chairman, the Government has to correct this illegal situation that they have been involved in, the Government of this Province, since May 28, 1968, has been committing illegal acts in connection with the public funds of this Province, and it now has to make that - legitimize that. I do not see why really, actually, the Government should want to deposit monies in any bank outside Canada. I cannot really see any justification for it at all. When the Bill goes through committee, I am going to vote against that part of section 3. Otherwise, we agree with the Bill.

It should be noted Mr. Chairman, that the Government, in accordance with Parliamentary tradition, should now resign, having publicly admitted that it has been engaged in violating the laws of this Province for two years and depositing funds belonging to the people of Newfoundland in Banks outside Canada, which action was illegal under the Revenue and Audit Act.

MR. WELLS: Mr. Chairman, I just have a few words. I agree in the main with what the hon. member for St. John's West has said but I do want to point out, as strongly as I can, Sir, the seriousness of this situation. To do that, I think we have to stop for a moment and consider just what the Revenue and Audit Act is. The Revenue and Audit Act is the trustee, if you like, the terms of trust by which the Government are entrusted with the millions of dollars that they take out of the pockets of the people of this Province by way of taxation.

To contravene the Revenue and Audit Act is just about the most serious thing that any Government can do. I am not making this up, this is not something that I suddenly dreamed up. This is established and has been established for centuries. Governments are in a position of trust. The funds that they have to manage are funds that belong to the people of this Province and the terms under which they manage those funds are basically the Revenue and Audit Act. In every Parliamentary jurisdiction there is something similar. To contravene that Act, or to do anything outside that Act, is just about the most serious thing that any Government can do.

We may look at this and say that it is only a technical thing, it is a bank, but it is not a kind of a bank that is referred to in the Revenue and Audit Act. There is more to it than that, It is more than a technical offense that the Government has committed. The depositing of these funds, in the Franklyn National Bank in New York, was strongly opposed in the first instance by a number of members of this House, not by the majority albeit, but a number of members, The advancing of these funds in any event and then to advance them in this way or to proceed with the advance of the funds by borrowing it from the Franklyn National Bank and by borrowing it under conditions whereby they compelled the Government to deposit a certain amount which is apparently what happened, although we have not exactly had a great falling of information on that subject, To do that is to seriously contravene the Revenue and Audit Act. I agree wholeheartedly with the member for St. John's West when he calls for the resignation of the Government. So they should, in any other jurisdiction, in any other Province of Canada, in any other Parliamentary jurisdiction, this Government would have had to resign long ago, by reason of the many things that it has done which it ought not to have done, and this is one of the more serious ones.

I cannot say that I agree with the principle of the Bill, I agree with the other things that are in it, but this is one of the basic parts of the principle. I do not see how I can support the Bill. I have no objection to most of the other things that are contained in it, The only thing that I am concerned with is that I think the committee should make a comparison of clause 10 of this Bill with what it is replacing to make sure that the Auditor General is in no way limited in the comments that he can make on what the Government has done with the funds of the people of this Province.

The proposed new subsection 3, of section 59 of the Revenue and Audit Act, repeals the existing one and substitutes the new one. It sets out the basic terms of reference for the Auditor General's audit of the books of the Province. I think it is essential to make sure that this in no way waters down the right of the Auditor General to express opinions or comment upon the manner in which the Government has spent money or the manner in which

they have managed the funds of the people of this Province. Apart from that I cannot object to any other part of the Bill. I do Sir, want to strongly point out that the Government has done something that in any other jurisdiction would cause the immediate resignation of the Government. It has offended the basic terms of trust by which it has been authorized to take money from the people and spend it in their behalf. It has contravened this, and so Sir, should resign.

MR. ABBOTT: Mr. Chairman, speaking to this Bill, it is rather unfortunate that in spite of the fact we have in Government today six or seven of the legal profession, it took the legal profession on this side of the House to point out the error here or the illegal part of this procedure of depositing in the Franklyn Bank, monies - borrowing then depositing monies, which contravenes the Audit Act.

Now, this as already pointed out by my colleagues, the member for St. John's West and the member for Humber East, that this is very unfortunate and not only unfortunate, but it is a glaring evidence of someone not knowing what is going on. I feel sure that we have honourable men, and men who know the laws of this land, sitting on the other side of the House, to permit this kind of thing! We are the custodians of the people's money. The Government of Newfoundland, they are responsible for the people's money. For the people's money to be handled in such a careless manner and such an illegal manner is unpardonable. I certainly agree, and the public of this country if they knew, and no doubt they will know what is going on, then I am sure there will be an evidence of indignation by all right-thinking people.

We have to be very, very careful in how, as custodians, I repeat, of the people's money.....

MR. CURTIS: Was not the hon. member in the Cabinet at the time that deposit was made? I am sure you were, I am quite sure you were.

MR. ABBOTT: I was in the Cabinet prior to July 15th., 1968.

MR. CURTIS: You left the Cabinet?

MR. ABBOTT: I left the Cabinet.

MR. CURTIS: This loan was made in May 1968, while you were a member of the Cabinet.

MR. ABBOTT: Of course, I was considered as being ill then by a good many, and I do not recall it ever coming before Cabinet.

MR. CROSBIE: It never came before Cabinet

MR. ABBOTT: I do not recall it. There are a lot of things that never come before Cabinet, and a lot of.....

MR. CURTIS: You were a member of the Government of the day.

MR. ABBOTT: I am partly responsible. But I can see, now that it has been pointed out to me, that this was an illegal act and the Government is responsible. There are other parts of the Bill, Mr. Chairman, that I certainly agree with. I think the Auditor General is entitled to this amount of money. I do not think that they are overpaying him. What I would hope to see is that those who work with the Auditor General too, some of the staff, will be paid sufficient money, or sufficient salaries will be offered so that it will attract people who are highly qualified for that department.

MR. COLLINS: Mr. Chairman, I would certainly agree with the comments made by the previous speakers concerning this particular Bill. I believe it is worth mentioning here again that my colleague, the hon. member for Burin, brought this matter up about a month or a month and one-half ago. We saw the squirming and the evasiveness of the Premier and hon. members on the Government side of the House.

Whether they were scared that the people in Newfoundland might be made aware of what was happening with their monies, and I suspect that the people of Newfoundland were, because, as I recall it, the press did a reasonably good job of bringing it to the attention of the people. Certainly the press will do a job of bringing today's debate to the attention of the people.

Governments, Mr. Chairman, are saddled with the responsibility of drafting laws, bringing in laws governing the people of the Province, and the fact that we have a Revenue and Audit Act which is meant to dictate certain restrictions in terms of the operation of the Government by Cabinet Ministers

and so on and so forth. Certainly, this does not give the Government the right to break laws. I think it is evident to all hon. members that the Government were guilty of breaking a law which they themselves made.

Sir, I would submit that this is a very serious situation to have occurred, and as the hon. member for St. John's West indicated a little while ago, were this to happen in any other Province in Canada, or in any country in the western world, I would say that the public would demand and insist on that Government, responsible for breaking the rules such as this one, that that Government would be forced to resign and go to the people in a general election. I would suspect that the people would possibly let the Government know just what they felt about breaking laws, especially where the public funds are concerned.

This case is where the Government deposited \$1 million, I think, in a bank in the United States, which was contrary to the Revenue and Audit Act,

Now we have a new Bill, which is to amend the Revenue and Audit Act, which in effect will make legal an illegal act which the Government committed. I certainly do not like the section, Mr. Chairman, section 3 (1c) which means now that, if that particular section is passed by this hon. House, the Government can invest monies not only in New York, but in Switzerland, Poland and Russia, for that matter any bank outside Canada. There is no stipulation in it that confines investments even in the United States. We can go to Europe, any bank at all, and invest the people's funds. Certainly, Sir, we cannot agree with this because the original Revenue and Audit Act was designed with a purpose in mind. I do not think that this Government or any other Government has the right to take it upon themselves to correct the situation, and make legal an illegal act on the part of the Government. Certainly, I cannot see where the Government should be given authority to invest the people's money in countries outside Canada.

With regard to the remainder of the Act, Mr. Chairman, concerning the Auditor General, certainly there is a great need to improve the situation in terms of the Auditor General's performance. He has a tremendous job to do, He

is the watchdog of the public purse and, while some of his actions might be embarrassing at times to the Government, then in a democratic system that is his function, his job. Certainly we would hope that this would go a long way in helping him attract the best staff possible. Certainly we would want to see the Auditor General given every opportunity, every means, to keep a watchful eye on the operations of the Government, especially in terms of finances, also that he be given every means in bringing the result of this investigation to this hon. House, and thus to the people of the Province.

Mr. Chairman, as I said, the part dealing with the section 3, making it legal to invest monies outside the Province, we cannot agree with that but the remainder of the Act seems to be, well - have good intentions, and we would support that particular section.

MR. CROSBIE: Mr. Chairman, before the minister replies, I think that it should certainly be made clear by the minister or by the Acting Premier when this deposit was first made in the Franklyn Nation Bank of New York. In other words, when was the illegal act first committed? Was it during the year 1969? Was it during 1970? The Bill wants to make this section retroactive to May 28, 1968. Now, I can state quite categorically that the member for Humber East and myself had both resigned from the Cabinet early in May, and were not in the Cabinet on May 28, 1968. Was this deposit first made on May 28, 1968? When was it first made? When was this illegal act first committed, because, every member of the Cabinet, if it came before the Cabinet, and I have my doubts as to whether it did, but if it came before the Cabinet, every member of the Cabinet is equally responsible for this illegal act, this violation of the Revenue and Audit Act.

AN HON. MEMBER: Including former ministers.

MR. CROSBIE: A former minister cannot be responsible for acts that took place after they had resigned from the Cabinet. Let us not be foolish.

MR. NEARY: While they were there.

MR. CROSBIE: This never went through when we were there. We resigned on May twelfth or fourteenth of May 1968,

MR. CROSBIE:

and this is to be made retroactive until May 28th, 1968. When was that deposit first made and approved by the Government? The public of Newfoundland deserve that information. When was this illegal act first done? There is a motion on the Order Paper that a Select Committee be appointed to consider the report of the Auditor General and the reply to the Minister of Finance. Mr. Chairman, that Select Committee should be appointed to sit outside the sitting hours of this House and to investigate this whole matter of the loan to the Franklin National Bank and the Auditor General's report and the Minister of Finance's reply there to , the matter of the Atlantic Brewing situation.

We now have two situations that demand that call for a thorough investigation. (1) the illegal deposit of \$1. million in the Franklin National Bank and secondly the illegal failure, the gross negligence, the failure to carry out duty on behalf of the Government and in the Department of Finance, the Newfoundland Liquor Commission, to collect the commission on beer from Atlantic Brewing Company Limited.

These two situations call out for a public inquiry. If there is no Select Committee, then a Royal Commission or a commissioner under the Public Inquires Act should be appointed to ferret out all the details of this transaction and certainly this Bill should not be passed by the House until the Minister of Finance or acting Premier explains to this House, When was this deposit first authorized to the Franklin National Bank? On what date? Was it passed by the Cabinet? Was there an order in Council authorizing it? When did that exactly happen, because from the time that happened every member of the Government, every member of the Cabinet is responsible collectively for this violation of the laws of the Province of Newfoundland. This matter calls for a full explanation. I do not think that the House should agree that the Government should have any authority to invest parts of the consolidated revenue fund of Newfoundland by way of deposit in banks outside Canada, with or without the prior approval of the Lieutenant-Governor in Council, Why should the Government have that authority? Why should the Government be allowed to put monies belonging to the people of Newfoundland outside the jurisdiction not only of the Province of Newfoundland, outside the jurisdiction

MR. CROSBIE:

of Canada altogether? The whole thing is ridiculous, Because of the suggestion that the hon. member for Bonavista North is responsible in any way for this matter, we want to know what the date was that this deposit was authorized by the Cabinet, if it ever was and when was that deposit made? The suggestion is that the hon. member for Bonavista North was a member of the Cabinet at the time. We want to know was he a member of the Cabinet at the time that deposit was made and, if so, did it ever come before the Cabinet and was it explained to the Cabinet that the whole transaction was illegal?

When did the hon. member for Bonavista North leave the Cabinet?

AN HON. MEMBER: 15th of July 1968.

MR. CROSBIE: July 15th, 1968 the hon. member for Bonavista North left the Cabinet, I suggest that this deposit was only made in 1969 but only the Government knows that and therefore we want the Government to explain to this House and the people of Newfoundland when the deposit was first made, when it was authorized by the Cabinet, by order in Council? That is elementary. If the Government will not answer that then there should be a public inquiry. There should be a public inquiry anyway into the Atlantic Brewing situation and into this latest illegal act. Certainly we are not going to agree anyway to a passage of Section 3(c) which will make legal an illegal act of the Government.

MR. HICKEY: Mr. Chairman, I just have one question. In addition to the questions posed by other hon. members as to when this act was submitted, whether it appears to be illegal and whether or not the Cabinet approved it, there appears to be one very important question that obviously must be raised even before any of those questions which have been raised are brought up. That is, why the money was deposited in the bank to begin with, what is the purpose for it? Why was it deposited there? It would appear that someone felt it was necessary.

Surely the House has a right to this information. Surely the people of the Province, through their elected representatives, have a right to know why this money was deposited outside the country and, Mr. Chairman, if there is a good reason for it, maybe it can be justified. I say maybe but -

MR. CROSBIE: You cannot justify an illegal act.

MR. HICKEY: Well, I am not suggesting we justify an illegal act but I am saying maybe we can justify why the money was deposited. Apparently what should have been done was the House should have been called together and authority should have been requested. But I think a very important point, Sir, is the reason for which this money has been deposited. I think this is the first question that we need an answer to. Then we can get into the other aspects of it as to the legality of it and as to whether or not the Cabinet approved it and so on and so forth. But I think the big question and I think surely it is in the public interest, I do not think it is possible for the Minister or for any member of the Government to say that it is not in the public interest that we tell you why this money was deposited, when it is illegal to deposit money outside the country. Indeed, when this has happened, then it is certainly in the interest of the public that the public be made aware as to why this money was deposited.

So I think, if the Minister would tell us that first of all, possibly this whole matter could be looked upon in an entirely different light than it is now, both by members of the House and indeed by members of the public.

MR. CURTIS: I agree, Mr. Chairman, that what my friends have done or are doing on the other side is like brewing a tempest in a teapot. You would think that we were the biggest criminals this side of Hades. As a matter of fact what we did is perfectly simple, perfectly normal, perfectly honest and perfectly proper. There are things you do, Mr. Chairman, in the course of business, which are not at the time we do them strictly within the rules. That is the object of this House, in ratifying what we have done and, if this House ratifies what we have done, this House puts its stamp of approval on what we have done.

Now, what are the facts? Under the Refining Act, Section 6, "Her Majesty may for the purposes of the interim financing of the engineering lend or cause to be lent to the building company."

MR. WELLS: Within the provisions of the Revenue and Audit Act.

MR. CURTIS: Within the provisions of this Act. It has nothing to do with the Revenue and Audit Act. We went to the States and we borrowed \$5. million

MR. CURTIS:

from the Franklin Bank and we deposited with the same bank \$1. million which was in effect the payment on account, a payment we were authorized to make by the Refining Act. The Refining Act says, "We can lend or cause to be lent" and we lent \$1. million and we borrowed the balance. Anything else is pure nonsense and this idea of saying that we should resign, that we have done a terrible thing, it is all pure nonsense. What does the Act say, "That Government may lend or cause to be lent," the Government caused to be lent by the Franklin Bank. The Government paid the Franklin Bank \$1. million on account, in other words they only lent us the difference. What pure unadulterated nonsense!

MR. WELLS: Mr. Chairman, I cannot let that go through without answering it. That is ludicrous to state that. Is the Minister of Justice now saying that by any other Act, no matter what, the Government is authorized to borrow money or to lend money to anybody else, they can contravene the terms of the Revenue and Audit Act.

MR. CURTIS: Oh, that is nonsense!

MR. WELLS: That is what he said. That is what he said, By reason of the fact that Section 6 of the Shaheen Bill authorizes the Government to loan \$5. million to Shaheen or cause to be lent, by reason of that the Government is excused from the provisions of the Revenue and Audit Act. They are not excused, not by any stretch of the imagination are they excused from the terms of the Revenue and Audit Act no matter what any other Act says. With respect to the handling of monies, the Government must strictly conform to the Revenue and Audit Act. That is fundamental. Failure to do so is an offense for which there can be no excuse, no excuse whatsoever, and it is an offense which calls, you know, in any reasonable jurisdiction would call for the immediate resignation of the Government. There is no question about it. They are dealing with funds in a way other than they are authorized by this House to deal with them.

If they borrowed money, \$5. million, from the Franklin National Bank, fine. They can pay them back their million but the Revenue and Audit Act prohibits them from depositing.

MR. CURTIS: We paid them back a million, that is what we did.

MR. WELLS: The Revenue and Audit Act prohibits them from putting on deposit any funds. If the Franklin National Bank goes bankrupt tomorrow that deposit is lost and the Government is still liable for \$5. million to the Franklin National Bank.

MR. CURTIS: No, it is not.

MR. WELLS: It most certainly is so.

MR. CURTIS: It is only liable for the \$4. million.

MR. WELLS: It most certainly is so.

MR. CURTIS: No, no, Mr. Chairman. My hon. friend is dreaming.

MR. WELLS: Look, if the Government has been straight forward with it and I doubt that, They have borrowed \$5. million and for that they have signed a note plus the interest, They are going to pay the interest, Now they go and put on deposit \$1. million. What happens if the Franklin National Bank goes bankrupt or goes out of business? It is possible, It has happened to banks before. What happens? It is a counter claim but we are under the laws of the state of New York not the laws of this Province and that is the reason for the provision in the Revenue and Audit Act, to ensure that monies belonging to the public of this Province do not go outside of the jurisdiction of Canadian courts, the Supreme Court of Justice.

MR. CURTIS: But our courts will have jurisdiction.

MR. WELLS: Our own court here and the Supreme Court of Canada to make sure that monies are within our control. If the thing goes, our courts have no control over what happens. The laws of the state of New York will give this Government no preference, It will give our Government no preference.

MR. CURTIS: Might I ask the hon. member how the courts in the United States will collect from us? They will keep the million.

MR. WELLS: They will just keep the million and this is the reason for the provision in the Revenue and Audit Act. Suppose we did not have a loan from the Franklin National Bank and the Government ^{had} \$1. million on deposit.

MR. CURTIS: That would be wrong, I agree with that.

MR. WELLS: It most certainly would be wrong.

MR. CURTIS: If we did not owe them the money.

MR. WELLS: It most certainly would be wrong and it is wrong, period.

MR. CURTIS: But we owe them the money.

MR. WELLS: If it is not wrong, why is it necessary now to amend the Act-if it was proper to be done? If it was properly done why is it necessary?

MR. CURTIS: Would you like me to answer that?

MR. WELLS: Because it contravened the Act. That is what it did.

MR. CURTIS: Nonsense!

MR. WELLS: Well, why is it necessary to amend it?

MR. CURTIS: It is because we have a Tory Auditor General who will pick it up. Now actually, Mr. Chairman, the position is this -

MR. WELLS: I say, good for the Auditor General.

MR. CURTIS: Mr. Chairman, the position is this, we are borrowing money every day from European Banks and we want permission to leave some of that money with these banks until we need it, because they pay a higher rate of interest, and for that reason it is imperative that we have the right. I know that one of the loans -

MR. COLLINS: We must object to the acting-Premier referring to the Auditor General as a Tory

MR. CURTIS: That is what it says in the

MR. COLLINS: That should be withdrawn. That should be withdrawn.

MR. HICKEY: Could I have a point of order, Mr. Chairman?

MR. CHAIRMAN: Order!

MR. HICKEY: It is certainly not proper to label an Auditor General or anybody else. I think it is purely incorrect and the hon. Minister should withdraw it right now.

MR. CURTIS: I will take it back, I will say he is NDP. I will take it back, do not worry.

MR. HICKMAN: Mr. Chairman, that is not a question of withdrawal at all. It is the fact that, regardless of whether the Auditor General has any political affiliation at all, that is not relevant, the fact is that that sort of comment is a pretty dastardly reflection on the character and the absolute independence

MR. HICKMAN:

of the Auditor General, who is a servant of this House.

AN HON. MEMBER: He is in the "Who's Who."

MR. WELLS: So what!

MR. HICKMAN: It does not make any difference what is in the "Who's Who." The simple fact is that the Auditor General is appointed by this House.

MR. CROSBIE: Mr. Chairman, I would like to speak on a point of order. I want to answer the Minister of Justice on this nonsensical argument he just gave us about the legality of this thing. Act No. 86 of 1968 is a Government Newfoundland Refining Company Limited Agreement Act and Section 6 says; the section that the Minister read, "Her Majesty may for the purposes of the interim financing of the engineering design" and so on, "lend or cause to be lent." Now the Minister did not go on, "lend or cause to be lent to the building company such amount or amounts not exceeding \$5. million"-not to the Franklin National Bank or any other bank, and this Act certainly does not authorize the Government to enter into illegal Acts.

MR. CURTIS: But is it not just a technical difference?

MR. CROSBIE: No, it is not a technical difference.

MR. CURTIS: Whether you pay off a loan -

MR. CROSBIE: The Revenue and Audit Act gives specific permission to the Government to lend parts of the Consolidated Revenue Fund, to invest that in certain specific investments among which the Act said; "By way of deposit in any bank to which the Bank Act, ^{of} Canada applies." That is the only banks that this Government could deposit any part of the Consolidated Revenue Fund in, and the Government went and deposited \$1. million in the American Bank in New York, and we are not told the date on which it was done. The hon. Acting-Premier says when he was asked why is this amendment coming before the House, he said; "Because we have a Tory Auditor General who might discover it." Well, that is certainly revealing the attitude of the Government. That is what the hon. the Acting-Premier said.

MR. ROWE (F.W.): On a point of order, Mr. Chairman. The hon. member for St. John's West has just misquoted the Acting-Premier. The Acting-Premier did not say, (I listened very intently) he did not say, and I am quite happy to have

MR. ROWE:

it repeated here, he did not say, "We have a Tory Auditor General who might discover." He did not use the word discover.

MR. CROSBIE: Mr. Chairman, I am quite satisfied to have the recording replayed and checked. If he did not use those exact words that was certainly what the Acting Premier meant; that we had an Auditor General who would discover it. We have an Auditor General who is doing his job; We have an Auditor General who is unafraid to be critical of the Government in his comments and, thank God that we have that kind of Auditor General, I do not care if he is Tory, NDP, Communist or what he is, that is his job and it is pretty revealing as to the attitude of this Government. For two years an illegal deposit apparently has been made in the Franklin National Bank in New York. It was illegal, it was not legal and we want an explanation of when that deposit was first made. It was made sometime after May 28th, 1968, when the member for Humber East and myself were no longer in the Cabinet. We want the hon. member for Bonavista North exonerated in this matter, He resigned or left the Cabinet on July 14th, 1968.

We want to know was it before then or after and if we do not get this information we are going to keep this House going, if we have to keep her going all summer. We want the information, when was that illegal act first done? We have the former Minister of Justice, who left in November in 1969. Was it before or after that hon. Minister left the Cabinet? The public deserves and we deserve an explanation of when this illegal act was first carried out.

MR. CURTIS: Well, let the Minister tell you. Stop talking.

MR. CROSBIE: Okay!

MR. CURTIS: The Minister of Finance is ready to tell you.

MR. CROSBIE: This Government Newfoundland Refining Act does not in any way justify that illegal deposit.

MR. CURTIS: Pure nuts! pure nuts!

MR. CROSBIE: Well, let us go to court on it, forget the amendment and let us go to court for a reference.

MR. JONES: Mr. Chairman, my best information is that the deposit to the Franklin Bank was made \$100,000. in October or November of 1968 which was after, if it is necessary to clear the name and the reputation of my hon. friend from

MR. JONES:

Bonavista North, and I do not think anybody in this hon. House would even suggest that it was necessary for me here to stand in this House to clear his name. The other \$1. million was deposited through NIDC in October or again it was in the period October or November 1969.

MR. CURTIS: So when we deposited the \$100,000, we owed them \$5. million.

MR. JONES: That is right. I may say for the information of the Committee that the whole deal with the Franklin Bank has been consummated, The money is no longer on deposit there, the money is no longer there. The reason for this amendment, Mr. Chairman, was not, while it might have been to radify and validate what the Government in the opinion of some did illegally, the reason for this is the borrowing market of the world today is getting smaller and smaller and we endeavour to borrow, when we can, to the best advantage of the Province. Sometimes it is necessary, when we borrow money for short terms, that we put it in deposit in a bank outside of Newfoundland. Now I am not too -

AN HON. MEMBER: Why, why outside?

MR. CURTIS: A higher rate of interest.

MR. JONES: You get better interest especially when you are moving in the Euro dollar.

AN HON. MEMBER: (Inaudible).

MR. JONES: No. If you are in the Euro dollar market and it is a matter of watching the market. This amendment, Mr. Chairman, was brought in on the advice of our financial advisors and, in the interest of the Province, we have to take their advice and I -

there is nothing sinister I assure you Mr. Chairman. There is nothing sinister. There is not meant to be anything sinister whatsoever nor any thought of manipulating have been indicated from my friends opposite, that this might be an effort on the part of the government to manipulate public funds. I can assure the Committee, Mr. Chairman, that such is not the case.

Now to move on to the other points that were raised, I was asked if the amendment to the, one of the amendments to the Revenue and Audit Act would mean an effort on the part of the Government to muzzle the Auditor General or if the Auditor General would be allowed the freedom which his office demands to report on government accounts.

MR. WELLS: Mr. Chairman, all I suggested is that the committee look very carefully at Clause 10 of the Bill to make sure that what is in this will in no way impare the Auditor General's complete freedom to express his opinion on the government's handling of the money. This is all, compare it with the previous one and make sure there -

MR. JONES: I can assure this Committee Mr. Chairman, that any amendments to the Revenue and Audit Act which affects the position of the Auditor General were made with the full knowledge of the Auditor General. Now the Committee will remember earlier this year that in speaking on the Auditor General's Report I made a very lengthy speech, I think I was something over an hour dealing item by item with the Auditor General's Report. I said then that I was doing this regretfully and the reason why I was doing it was not because of the Auditor General's Report as such. It was because ^{of} the way his report had been handled in some sections of the press. The Government at that time took no exception and I today take no exception to anything said by the Auditor General. I would like to make that clear. I can assure the Committee, Mr. Chairman, that we have no intention of interfering in any respect with the Auditor General. If we did, he would no longer be an Auditor General. The Auditor General is the servant of this House. And while he may be attached to the Department of Finance for, I may say, probably pay, only, I was going

to say pay and discipline, but not even discipline, for pay, that is all, he acts as a free agent and there is no intention on the part of this Government, at least as long as I am minister of Finance, be it short of long, to interfere in any way with the operation of his department or his division. As a matter of fact, I agree with what my hon. friends opposite say, that I would like to be in a position to beef up his department. The Auditor General is well aware of this because he and I have discussed it on different occasions.

Another point raised was if or not this was the final salary for the Controller of the Treasury, Mr. Chairman, in the P.A.D. Report, there was an entire section dealing with the salaries of Deputy Ministers in the Government. This is one section of the P.A.D or the P.A.S Report which we have not been able to deal with. At the present time the Committee is aware we have just finished negotiating with the N.G.E.A., and we have agreed with them the complete classification system is not into effect and it will not be, unfortunately, for another year. But at the moment we have not finally dealt with deputy ministers salaries as such. Now, I would like to be able to say ^{this} that we will do, very very shortly. It has not been dealt with and until deputy ministers salaries are dealt with as such, I am not in a position to say if this is the salary which will be paid the Controller, who is also the deputy minister of Finance. If there are any other points raised, Mr. Chairman, I think I have forgotten them. I move second reading.

MR. HICKMAN: Mr. Chairman, if I may have a couple of words on this amendment. Most of this Bill, as I read it, the requirements are necessary for government borrowing in foreign markets. Section 4 in particular. But for the life of me I cannot see what relevance there is between section 3 (1) (c), The deposit one and borrowing in foreign markets. This is not an answer, Mr. Chairman, at all to that particular clause. The rest of it, this House has to recognize that borrowing and borrowing practises varied that there is a great inclination on the part of Provinces and governments, municipal, federal and provincial

now to go into the European market to borrow in URO dollars and other times to borrow in the currency of the country from which it is borrowing or the institution in which country it is located. That, Mr. Chairman, can be dealt with and is dealt with and dealt with adequately under section 4. I think that no one on this side of the House or in the House would hesitate to accept the statement by the Minister of Finance that this is, these sections have been requested by the lending institutions. But Mr. Chairman, the real principle that is involved here, and it is a principle, make no mistake about it, this is the question of permitting deposits outside the province, in other banks. In my opinion the financial status of the bank is not important. It could be the bank of New York. It could be the bank of England. It could be the bank of West Germany. None of this is relevant. The fact is that the Revenue and Audit Act, and I believe I would say this is subject to correction, but I believe that section 19 of the Revenue and Audit Act is pretty much uniform legislation, for the provincial Revenue and Audit Acts throughout Canada. And obviously that section is there for a very good reason. If this House is going to control the purse strings, if the power of the purse is going to remain in this House, as we are told that it must be, It has been repeated ad nauseam in this House that if we ever give up the power of the purse, then we might as well close shop and get out.

This is one way to give up some of the power of that purse, to allow monies to go outside this Province. Trust monies, monies collect, I believe that regardless of the legal niceties of the situation that monies that are collected from the taxpayers of this Province or monies that are borrowed on behalf of the taxpayers of this Province are trust monies that are held by the government to the credit of the people on whose behalf they borrowed. And this obviously is the reason why section 19 was put in that Act and why it has stood us in good stead, that nobody, but nobody wants any of these funds ever to get outside the jurisdiction of the Government of Newfoundland and, far more important, outside the jurisdiction of this House.

Now there has been a lot of talk, I understand, as to when this \$1 million was deposited in the Franklyn National Bank and the \$100,000. I believe that the hon. Minister of Finance, I believe in fact I feel reasonably certain is correct on his dates as to the \$100,000. And I believe that he will find that as soon as that came to the attention of the department of Justice, in particular the deputy-minister, that his deputy-minister, Mr. Groom, was advised that that was an illegal act and that the money had to be returned to the Province. Now if it was illegal for \$100,000, why is it not illegal for the \$1 million? The million dollars was part of the consolidated revenue fund. It was money borrowed by this Province, as I understand it, or guaranteed by this Province, and we whack it down to the Franklyn National Bank. I do not care if the Franklyn National Bank is sounder than the Bank of Canada, that is not relevant. The simple principle and it is such a vital principle that I am inclined to agree with the hon. member for St. John's West, if this House has to stay open for a thousand years this should not go through. Because if we allow this sort of thing to happen, if we allow this unprecedented piece of legislation and I would like to hear the minister of Finance give an indication as to whether or not there is any precedent for this legislation in any other Canadian Province or even with the Government of Canada, with its massive financial resources, whether or not that government has the right to investigate to invest surplus funds, monies from the consolidated revenue funds -

MR. JONES: If the hon. member will keep talking I will try and find out for him.

MR. HICKMAN: Keep talking as long as I possibly can - Well Mr. Chairman, I think, you know, I would - obviously this section is to try and validate something that was illegally done in the past. Now the minister of Finance says that this has been rectified, that government has recognized the position that an illegal act was committed and the money has now been brought back in the Province

MR. JONES: After it was brought up in the House.

MR. HICKMAN: Oh, I realize that. I realize after it was brought up in the House.

MR. ROWE: The minister of Finance did not say that.

MR. HICKMAN: That it has not been brought back.

MR. ROWE: He did not say that the government recognizes that illegal -

MR. HICKMAN: Well let me put it this way Mr. Chairman: I was the first to raise that in this House and I had to be perfectly frank with this; that is why I am sure that million dollars happened after I resigned from Cabinet. The first I ever heard of the million dollars being on deposit in the Franklyn National Bank was when the hon. the Premier, not in the budget speech, it was interim supply, mentioned that there was a million dollars on deposit in the Franklyn National Bank. I could not believe my ears when I heard it and I raised the question and suggested at that time that it was completely contrary to the revenue and audit act.

We have attempted, and there have been questions on the Order Paper since then concerning this million dollars. But, regardless of why it came back, I think it is more than coincidence that it did come back after this was first raised in the House. But the fact is that it is now back. We have the assurance of the Minister of Finance that there is no money belonging to the Government of this, to the Province of Newfoundland, presently on deposit in the Franklyn National Bank, I assume that this also applies to any other institution outside of the institution named in section 19 of the Act, which is the bonds and securities of the Government of Canada.

Now if that has been done, what is the necessity and what is the reason for the enactment or the proposed enactment of section (c)? Is it that the Franklyn National Bank has now become aware of the fact that what they have done did not comply with the Revenue and Audit Act and that as soon as this

legislation is passed it is going to go back again because it is then legal. Is this to leaglize a contemplated act? Or is it to legalize future policy decisions or policy decisions for the future that have been made by the Government?

Now, Mr. Chairman, we have been accused in this House and we have been accused even more so outside of this House of being very treacherous, slimy and straight-out-of-hell and everything else, if we comment on the financial position of this Province. And that, if we say that the Province of Newfoundland is in difficult financial straits at this time, that this is a dreadful act, a dreadful act of treachery to the people of this Province. My opinion is that the greatest act of treachery or anything else that could be, a breach of trust that could be committed to the people of Newfoundland today, is if the Opposition in this House stood idly by and remained quiet when it knows the financial difficulties that this government now is facing. And Mr. Chairman, if comments on the financial position of the Province or, more important, the financial position of the government, is picked up by the lending institutions abroad, and that is silly because even if it is picked up they themselves have very intensive study done, they do not simply accept a prospectus of the province of Newfoundland or the Power Commission because it is written up in fine language here. The SEC in the United States will have their investigation carried out, so there is nothing, there is no way of hiding the financial position of the Province of Newfoundland both its direct and its indirect liabilities. That cannot be done. But when the Opposition comments on it, then it has to face charges that it is being derelict in its duty to the people of Newfoundland. I say the reverse, Mr. Chairman, is the correct situation.

Mr. Chairman, I would suggest all that has been said during the two hundred and sixty-five sessions of this House concerning the borrowing policies of the government of the Province and concerning the financial position of the province will not do any damage or anything like the damage

to the credit of the Province that was caused a few minutes ago by the comment of the hon. the Acting-Premier. When that hits the headlines, when that goes abroad, that the reason why this section is coming in ^{is} because in a "Who's Who" in some year it shows that the Auditor General was a Tory. That is the thing that can cause damage to the credit of this Province, because the implication is so loud and so clear that there is a resentment on the part of Government over the complete and absolute independence of the servant of this House, namely the Auditor General. If that sort of impression gets abroad then the financial institutions, I would suggest...

MR. JONES: Is that the impression that I left with my hon. friend?

MR. HICKMAN: No, no, not the impression the hon. minister of Finance left. The thing is factual. There is a debate on section 3 (1) (c) and the question was asked why this was being put in? And the answer was because the Auditor General, who is a Tory, discovered it. What other possible implication can you put there? The man could be a ranting, raving anything, before he was appointed Auditor General. But today he is appointed -

MR. CURTIS: I made the statement and I made it in a heated debate. All I meant to imply was this, that what we did may be questioned. It may be we made that improperly. I do not think we did. But when I referred to the Auditor General as being a Tory I am presuming that a Tory would look at it in one light and a Liberal in another light and both would be perfectly sincere. I am just pointing out the fact. Now I maintain that what was done was perfectly proper. Another man who is opposed to this party politically might take the opposite position. And all I meant was that. Now I have every confidence in the Auditor General. The very fact that we are coming here today with a letter from the Governor, a letter from the Lieutenant-Governor, increasing his salary by \$5000, increasing it by \$10,000 since his appointment, shows that there is no feeling like that toward the Auditor General. My only suggestion was not that the Auditor General would be improper but that he might

look at it from the point of view of my hon. friends opposite. That is all. And I think they are wrong. I think they are completely wrong. Now what I want to say is this. And I want to welcome here .

We have in attendance in the House today overseas students attending the Co-operative Fisheries Course at the Memorial University. I do not know whether it is the Memorial University or the Fisheries College. The course is sponsored by the Canadian International Development Agency and is under the auspices of the extension service. The students are from nine countries, including Korea, India, Pakistan, Philippines, Malaysia, Indonesia, Kasgania British Honduras, and Canada. This is the fourth year for this course in Newfoundland. Accompanying the students is George Billard of Port aux Basques. I want to say, on behalf of the House, how much we welcome you young men. We are glad to see you here. We hope you are enjoying your stay in Newfoundland and we hope that when you go back home you will be able to tell your people and your friends how glad we were to see you and how happy we were that you were able to spend some time with us.

MR. CROSBIE: Mr. Chairman, we would also like to welcome these guests to the House. They are here at a very pertinent time, when we are discussing deposits of money in banks in foreign countries. And who knows, the government may make a deposit in Tanzania or in Korea or one of these other countries, if we allow this amendment to pass. We are not surprised, Mr. Chairman, at anything the government does with the public funds of this Province. And if they are going to deposit monies in the Franklyn bank of the United States illegally, no reason why they would not deposit it somewhere else, illegally.

MR. HICKMAN: The hon. Leader of the Opposition asked me , on behalf of the official opposition, to join in the words of welcome to these students from abroad, and, following that, to pursue the debate on this resolution. And this I gladly do and concur in the remarks by the hon. the Acting-Premier in welcoming these young people.

Mr. Chairman, let us take now the statement that has been made by the

hon. minister, the Acting-Premier. There is a disagreement, he believes, and this is understandable. Nothing unusual about that, as to whether this deposit was legal or illegal. But how can there be a disagreement when you look at section 19 of the Revenue and Audit Act? The Revenue and Audit Act says the Lieutenant-Governor in Council may authorize the minister to invest any portion of the consolidated revenue fund not immediately required for expenditure in stocks debentures or securities of the Government of Canada, or in any debentures or securities the payment of which is guaranteed by the Government of Canada and may, whenever it deems necessary for meeting expenditures, require the minister to dispose of the investment in such manner and on such terms and in which such amount the minister may deem to be in the best interest of the Province. Nothing could be clearer than that. That if there is surplus funds, be it funds collected by way of taxes, or be it funds that have been borrowed on the credit of the Province, if that surplus exists then the Government of Newfoundland or the Minister of Finance can invest this in stocks or debentures or securities of the Government of Canada. It is obvious that that is the limitation and that is as far as the Minister of Finance can go.

Now, if that is not so, if my interpretation is not correct, then obviously there would be no need for this amendment. And I suggest, Mr. Chairman, that my interpretation is correct and government is fully aware that this interpretation is correct. Obviously what other good reason could there be to bring back the \$1 million from the Franklyn National Bank? And what other good reason can there be for the introduction of this section at this time? Now the hon. the acting Premier says that the Auditor General may agree with the interpretation placed on this section 19 by members on this side of the House.

Supposing, he does, if that is the reason why this section is being brought before the House now, it still does not take care of the illegal act that was committed prior to the enactment of this Bill. Because this is not retroactive legislation as I understand it.

MR. WELLS: Yes it is.

MR.CURTIS: Yes it is.

MR.HICKMAN: Where is the retroactive section?

MR.CURTIS: The last clause.

MR.WELLS: Come into effect the twentieth eighth of May 1968.

MR.HICKMAN: That makes it worse.

MR.WELLS: Of course it does.

MR.HICKMAN: Apart from the admission of the impropriety of the investment my understanding is that only on very rare occasions, very rare occasions is legislation ever made retroactive.

Mr. Hickman.

It can arise, say, that in a Welfare Bill or a Health Bill that you want to validate something that had been done between sessions of the House of Assembly, that is made retroactive. But I say this subject to correction from my learned friend on my right. I have always understood it to be an infallible principle of legislation that money bills are never, but never, retroactive. If that principle still stands, I am sure that the hon. Minister of Justice will have to agree with me on that - that money bills are never retroactive.

Now, you have a Bill that is retroactive until May, 1968.

The significant thing is that, according to the hon. Minister of Finance, it was sometime in May or June of 1968 that the \$100,000 was deposited with the Franklin National Bank.

Now, if this departure from an accepted principle of legislation, that money bills are not may retroactive, if this most unusual and, I say, intolerable departure, does not mean and is not proof positive of what we have been saying for the past two months, then what other proof is necessary? It is obvious that the Franklin National Bank deposits were contrary to the Revenue and Audit Act. It is obvious that this section is being passed to validate it. Now that the money is back, I can see no good reason why it should be validated. The \$1,100,000, we were told by the Minister of Finance, is now back in Newfoundland. So, what is the point in trying to validate it? What point is being served? The money is back.

I suggest, Mr. Chairman, that there is a very good reason for it because that money is going out again. The minute this Act is passed that money is going to be whacked right straight back into the Franklin National Bank.

MR. CURTIS: No it is not.

MR. HICKMAN: ^{for} Then what other reason could it be done? It is not necessary for the ordinary borrowing of the Province. Tell me one...

MR. WELLS: It got higher interest rates in European banks.

MR. CURTIS: You get twelve per cent interest in European banks.

MR. HICKMAN: Oh! Mr. Chairman.

MR. CURTIS: Look! Mr. Chairman,...

MR. HICKMAN: No! no! just let me finish, Mr. Chairman. We pride ourselves or we have been told, long before we became part of the Dominion of Canada, that the strongest and best banking system in the world is the banking system that we find in Canada - governed by the Bank of Canada. Our banking system is the envy of jurisdictions all over the world because of its security and because of its stability. When Roosevelt had to close the banks, when he became President of the United States, there was no faltering at all of the banks of Canada. They remained firm and strong and secure.

Now, surely, the rate of interest is not that important to this Province. I mean how much money are we talking about? Is it \$1 million? Is it \$2 million or \$3 million that you are going to put on deposit in the Bank of Frankfurd or the Bank of Liechtenstein or the Bank of Vienna for a short period and that that is going to yield twenty per cent instead of a security - a deposit security certificate that yields eight? Is that the criteria. Of course it is not? It might be the criteria for a private individual who has got a few thousand dollars hanging around and he says; where am I going to get the best interest in the next six months? He says, I will take a flyer and I will put it over in the Bank of England or I will put it down in the Franklin National Bank or I will put it over in West Germany or Switzerland or Liechtenstein or Vienna or any of these financial capitals of the province. That is fine. That

is his own money and if he makes an extra ten per cent during the short period of time, more power to him.

But, Mr. Chairman, there is no principle that permits that investment of trust money on a speculated basis.

MR. CURTIS: There is nothing speculated. What are you talking about?

MR. HICKMAN: Of course there is something speculated.

MR. CURTIS: No, pure nonsense!

MR. HICKMAN: It is speculated, when you take..

MR. CURTIS: Where did you get this speculated idea?

MR. HICKMAN: I ask why this section was put in - if it was not being put in to validate something that has been done and brought back?

It is brought back, there is no need to validate it. The money is back. I suggest it can only be done for one reason and that is that it is going to go out again. The answer is no. The reason for it is because of the change in the lending policies of banks and other institutions outside of Canada, that you can get a higher interest rate ... Is this correct or not?

MR. JONES: Mr. Chairman, I did not mention a higher interest rate. I said it would facilitate borrowing it from banks outside of Canada.

MR. CURTIS: I had a case where the Government guaranteed loan was left on deposit in Germany and we collected \$1 million interest, at the rate of twelve per cent, and if we had transferred the money to the States or to Canada, we would have gotten a lesser amount.

MR. HICKMAN: Does that twelve per cent go to the Government or to the..?

MR. CURTIS: It went to the investment - the industry. It is that much more to the industry.

MR. CROSBIE: Melville.

MR. WELLS: Melville Pulp and Paper.

MR. CURTIS: Pure nonsense!

MR. HICKMAN: It is not pure..

MR. CURTIS: Look here, Mr. Chairman, if we have a bond issue coming due on August 1, and we raise the money and that money is due in Germany and we put through a loan in Germany today, a roll-over loan and that money comes in a month, two months before we have to pay it out, only a fool would transfer the money back to Newfoundland, pay the exchange, then pay it out again and transfer the exchange, when it can be left on deposit in a bank in Germany to pay it. Is that not obvious. Would not the hon. member do that with his own money.

MR. HICKMAN: I might, if I had it, but I certainly would not..

MR. CURTIS: Well if you had \$.50, which I hope you have would you not do that?

MR. HICKMAN: Yes, but I would not..

MR. CURTIS: Would you pay the exchange, bring the money out from Germany, hold it here for a month and then send it back again? It would be much simpler to let it stay there, and that is the true position.

MR. WELLS: No. What are you going to send it back again in a month for?

MR. CURTIS: Because we owe it. It is a roll-over loan.

MR. WELLS: What do you want to hold it for a month for?

MR. CURTIS: We borrow money to pay a loan. They call it a roll-over. We get a month or two before we have to pay it out. What are you going to do; bring it back to Canada just for the fun of it?

MR. HICKMAN: Mr. Chairman, let us not forget now. The hon. Minister of Finance says this is necessary to facilitate borrowing by the Province. It is not the situation of leaving it there for a month, when you roll-over money. It is to facilitate borrowing for the Province.

Now, Mr. Chairman..

MR. JONES: I think my exact words were to facilitate doing business with foreign banks.

MR. HICKMAN: Well is it borrowing or doing business? Which is it?

MR. JONES: I think I said doing business. If you want to say borrowing..

We are not lenders, I assure you.

MR. WELLS: Oh, yes we are!

MR. CROSBIE: Never a lender nor borrower be.

MR. CURTIS: You can carry out the rest of the Scripture, too.

MR. JONES: I apologize, Mr. Chairman, the hon. member for Burin has lost his trend of thought.

MR. HICKMAN: I have not lost my trend of thought. I was waiting until the hon. member was finished over there.

Look! I want to get this thing clear. This section is not being passed to validate the deposits which were made and which I say were illegally made in the Franklin National Bank.

MR. JONES: I have made no comment on that aspect of the debate.

MR. HICKMAN: Well, we are very happy to yield to the hon. minister..

The hon. the (Acting) Premier, as I recall says that this is not being passed to validate that Act, because he says it was not an illegal Act. Let us assume that it was an illegal Act and I say it was. Let us assume that it was an illegal Act. What is the purpose of passing this now, when the money is now back in the hands of the Province? But to make it retroactive - why make it retroactive? There is not going to be retroactive borrowing in the future. Why is it? Obviously, it is because the Government agree, and I would suggest that the Minister of Justice has been obliged to advise them. I do not know if he has or not, that this was an illegal Act and this legislation has to be retroactive to validate this illegal Act.

Now having done that, if you accept the position that this is water under the bridge and that the money was put down there and should not have been and is back again, I suggest that there is a pretty strong suspicion that that is going back again. Otherwise why is this legislation coming before the House? If on the other hand, it is to facilitate the doing of business with foreign institutions and the hon. Minister of Finance has indicated that or the hon. Minister of Mines, Agriculture and Resources says, what other business can you be

Mr. Hickman.

doing other than borrowing and assuming that the Province is not a lender, then it has to be borrowing.

I would hope that this Province has not reached the position where a lending institution or institutions advancing money to the Province require that there be a deposit made with that institution as additional security for the Province. The hon. Minister of Finance shakes his head and says that is not so. So, if that is not the case and if it is not to validate something that was illegally done and is going to be done again, then what is the purpose of this Bill?

MR. CROSBIE: It makes it retroactive.

MR. HICKMAN: Mr. Chairman,

MR. CROSBIE: May 28, 1968.

MR. HICKMAN: Oh! I realize that.

MR. CROSBIE: So, it has to be to validate it.

MR. HICKMAN: Of course, it has to be to validate it. But apart altogether from the validation. Mr. Chairman, let me get back to the original principle. The reason why there is this restriction on the investments of Government funds to Canadian Government securities, does not precisely the same principle arise and apply with reference to Government funds, monies collected by way of taxes or borrowings that applies to any trust monies? A trustee, for instance, in Newfoundland has endless opportunities to take trust monies, if he wants to take a flyer and invest it in a much higher interest rate. He could go out and buy stocks, you know, in General Motors, which is not that much of a risk, or he could go out and he could buy it in a dozen alleged gilt-edged securities. But the simple fact is that, as a trustee, he is restricted to the type of investment he can make. We have restricted, for instance, the Workmen's Compensation Board, because they, too, handled trust monies - monies that are held in trust for workmen. We, too, have restricted them to investing monies under the Trustee Act.

This is only an enlargement of the principle to make it

Mr. Hickman.

apply to Government and this is why governments have this restriction. That you never let the money get out of the jurisdiction of the province or country in which the province is located. Because if you ever let it get out, you will never get it back, or you may not.

Mr. Chairman, I will try not to be repetitious.

MR CURTIS: It is hard to stop a record in the middle.

MR. HICKMAN: I consider this a most vital piece of legislation that has come before this House.

MR. CURTIS: Yes, terrible.

MR. HICKMAN: It certainly is. It is vital in two ways. Vital, because we have a retroactive money bill - unprecedented retroactive money bill and vital because we are taking trust monies and putting it outside this country, where we do not have control. There is no good talking about the strength of the Bank of Liechtenstein. But, Mr. Chairman my understand was that in ---

MR. CURTIS: Mr. Chairman, he enjoys it.

MR. HICKMAN: No, I do not enjoy it, and I do not particularly enjoy the fact that we have reached this stage in this Province where this Bill is even brought in for debate. Because this is an obvious abrogation of the duties and responsibilities of this Legislature to control the purse. How can you control the purse, if the money is in Liechtenstein or West Berlin or Vienna? You cannot do that.

Anyway, Mr. Chairman, I for one will not support this Bill.

MR. CURTIS: I thought you would.

MR. HICKMAN: No so far as Clause (3) is concerned. The rest of it is reasonable. It complies with the requirements, so the Minister of Finance says, and nobody has disagreed with him, of ordinary borrowing in the market. But this one is without precedent.

MR. WELLS: Mr. Chairman, before you carry it, there is just one further comment I would like to make before - look, it is fundamental. The provision is in the Revenue and Audit Act, as it stands at the moment, to ensure that there is complete control, that this House at all times has access directly or through the courts to all funds either obtained from the public by taxation or borrowed in the name of the public of this Province and for which the public of this Province are liable.

It is fundamental. That is the reason for it. I am prepared to sacrifice convenience or additional interests or anything else to continue to have that protection. That is far, far more important than getting an extra \$100,000 on interest or making it more convenient to draw down funds for rolling over loans or anything else. That is fundamental, and I hope the committee is not going to be so blind as not to see that - as not to see that. This has to go; The contravening of fundamental principles. If the hon. Minister of Welfare is not concerned about the public of this Province - that has not been changed yet. It is highly improper to do that until the Bill has gone the House and receives the Governor's signature. He is still the Minister of Welfare - if he is not concerned, Mr. Chairman, about the people of this Province, I am. I doubt very much if he is, if he goes along with this. I doubt very much if he has any real genuine concern. There is a purpose to that provision, as it now exists in the Revenue and Audit Act, and I do not think we should be so blinded by what has gone on to ignore it and allow this amendment to go through.

MR. CROSBIE: Mr. Chairman, before the matter goes through a vote, we appeal to the backbenchers on the other side of the House. Gentlemen

Mr. Crosbie.

are you going to keep in office a Government that is committing illegal acts - a Government that is depositing the monies owned by the people of this Province and the consolidated revenue fund outside the jurisdiction of the Province and of Canada? This has to do with the resolutions before the House? This is now the time for the backbenchers to depose the Government, unless they also want to be responsible for these illegal acts, Mr. Chairman.

MR. WELLS: This is the general resolution debate.

Motion that the Committee report having passed the Resolution in relation to a measure further to amend the Revenue and Audit Act and recommend that a Bill be introduced to give effect to the same.
Carried.

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

MR. HODDER: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have passed a Resolution in relation to a measure to amend the Revenue and Audit Act and recommend that a Bill be introduced to give effect to the same, and ask leave to sit again.

On motion report received and adopted

AN HON. MEMBER: Divide.

MR. SPEAKER: Call in the members.

All those in favour of the Resolution please rise:

The hon. the President of the Council; the hon. Minister of Highways; the hon. Minister of Municipal Affairs; the hon. Minister of Labrador Affairs; Mr. Hodder; Mr. Strickland; the hon. Minister of Education; the hon. Minister of Finance; the hon. Minister of Mines, Agriculture and Resources; the hon. Minister of Provincial Affairs; the hon. Minister of Public Welfare; Mr. Canning; Mr. Barbour; the hon. the Minister of Supply.

Mr. Saunders; Mr. Wornell.

Those against the resolution please rise:

The hon. Leader of the Opposition; Mr. Collins; Mr. Hickman;
Mr. Wells; Mr. Crosbie.

Resolution carried.

On motion, a Bill, "An Act Further To Amend The Revenue And
Audit Act," read a first time, ordered read a second time now
by leave.

On motion a Bill, " An Act Further To Amend The Revenue And
Audit Act," read a second time, ordered referred to a Committee of the
Whole House presently.

On motion that the House go into Committee of the Whole on
Bill, "An Act Further To Amend The Revenue And Audit Act," Mr.
Speaker, left the Chair.

COMMITTEE OF THE WHOLE:

A Bill, "An Act Further To Amend The Revenue And Audit Act."

On Motion Clauses 1 to 2 carried.

MR. HICKMAN: Mr. Chairman, Clause No. 3. I move that Clause 3 be amended by deleting therefrom Sub-section (c) of 3(1) (c).

MR. WELLS: Of course, deleting everything after the word "applies".

MR. HICKMAN: By deleting everything after the word, "applies," where is that?

MR. CROSBIE: In the second line.

MR. HICKMAN: Yes, be amended by deleting everything after the word "applies" on the second line of Clause 3 (1) (c).

On Motion, Clause 3 as amended carried.

On Motion, Clause 4 carried.

On Motion, Clause 5 carried.

On Motion, Clause 6 carried.

On Motion, Clause 7 carried.

MR. CROSBIE: Mr. Chairman, I may have gotten it wrong, but is the Minister of Finance saying that although these sections are passed that this salary may not be paid to the Comptroller of the Treasury or the Auditor General?

MR. JONES: No, Mr. Chairman, I did not. I am quite sure that my hon. learned friend opposite knows that I did not.

MR. CROSBIE: The hon. member said something about Deputy Ministers had to be reviewed and so on.

MR. MURPHY: Due to the PAD.

MR. JONES: The hon. member's question was, will the Deputy Minister of Finance and Comptroller of the Treasury be paid \$25,000 or will he be paid something more? And in replying, I said, that I was not in a position to say because the section of the PAD Report dealing with salaries of

MR. JONES: Deputy Ministers had not been dealt with by Government. Now he asks me if I had said, although this money is voted here, if His going to be paid less? I mean - I am quite sure, you know I am quite sure he knew what I said.

MR. CROSBIE: It is very difficult to know what the minister is saying.

MR. JONES: I know he is stubborn, but I do not think he is stupid.

MR. CROSBIE: Thank you, thank you, I will accept that.

MR. CHAIRMAN: Clause 11?

MR. WELLS: Mr. Chairman, Clause 11, I move that Clause 11 of the Bill be deleted. Carried:

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

On Motion, that the Committee rise, report having passed the Bill without amendment, report progress and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. HODDER: Mr. Speaker, The Committee of the Whole have considered the matters to them referred, and has directed me to report having passed Bill No.59 without amendments.

On motion, Bill read a third time, now by leave.

MR. KEOUGH: Mr. Speaker, I move that this Bill be not now read a third time.

MR. SPEAKER: Those in favour of the motion made by the hon. member. In my opinion the "nays" have it.

On Motion, Bill read a third time, ordered passed and title be as on the Order Paper.

MR. CURTIS: Yesterday, Mr. Speaker, we passed the Supply Act. (Bill No. 90). The Department of Finance has discovered since, without the help of the Auditor General, that there is a miscount in the funds. And I wonder if I could move, with the permission of the House, that the Bill be recommitted,

MR. CURTIS: so that the error can be corrected. The third reading being rescinded and the Bill be recommitted.

MR. SPEAKER: The motion is that the third reading of the Supply Bill be rescinded and that the Bill be recommitted. Carried:

COMMITTEE OF THE WHOLE:

MR. CHAIRMAN: Bill 90.

HON. E.S. JONES: (MINISTER OF FINANCE): Mr. Chairman, I apologize to the committee for this inconvenience. But on the printing of the Bill we noticed this morning two small errors, one in the total under head X - Health; and Head XI - Social Services. The total as printed, as the members of the committee will see, is \$54,107,000 and this is to be changed to \$54,398,300. Head XI - Social Services and Rehabilitation, changed from \$34,668,000 to \$34,755,000. The reason for this is the figures given in the original printed copy were the net figures for these departments, it did not take in the gross. The total for all departments will now read: \$297,251,100. This, Mr. Chairman, correction will have to appear in the reading section of Section(ii) of the Bill and the numerals there will change to \$297,251,100. And further down in the third line from the bottom of Section(ii) will read, instead of \$357,395,100 it will read \$357,869,100. And in the resolution itself it will change to read \$297,251,100.

MR. CHAIRMAN: Will Heading X of the said Bill carry? Carried.

Will Heading XI as amended carry? Carried.

Shall the total as amended carry? Carried.

Shall Clause (2) as amended carry? Carried.

Shall the Resolution as amended carry? Carried.

MR. JONES: Thank you.

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

MR. HODDER: Mr. Speaker, the Committee of the Whole have considered the matter to them referred and instructed me to report having passed Bill No. 90, with some amendments, and ask leave to sit again.

On motion report received and adopted. Bill No. 90 ordered read a third time now, by leave:

On motion a Bill, " An Act Granting To Her Majesty Certain Sums of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending The Thirty-First Day Of March One Thousand Nine Hundred And Seventy-One And For Other Purposes Relating To The Public Services," read a third time, ordered passed and title be as on the Order Paper.

On Motion, Second Reading of a Bill, "An Act To Amend The City Of St. John's (Loan) Act, 1969." (Bill No. 64).

MR. CURTIS: This is Act No. 64, and it is purely an Act which interprets the word "bonds" referred to in the principal Act. I can see nothing controversial about it, and I would move second reading.

On Motion A Bill, "An Act To Amend The City Of St. John's (Loan) Act, 1969," read a second time, ordered referred to a Committee of the Whole House now, by leave.

COMMITTEE OF THE WHOLE:

On Motion, that the committee rise, report having passed Bill, "An Act To Amend The City Of St. John's (Loan) Act, 1969," without amendments, report progress and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. HODDER: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have instructed me to report having passed Bill No. 64 without amendment and asked leave to sit again.

On motion report received and adopted, Bill ordered read a third time now, by leave.

On Motion a Bill, "An Act To Amend The City of St. John's (Loan) Act, 1969," read a third time, ordered passed and title be as on the Order Paper.

On Motion, Second Reading of a Bill, "An Act Further To Amend The Wild Life Act." (Bill No. 14)

HON. W. R. CALLAHAN: Mr. Speaker, when this Bill came before the House some time ago it got, I think, a bit of a rough ride. I think, perhaps for reason it did not deserve, Mr. Speaker, and I will try and show the House why. The reason, very simply, I think, was some confusion as to what was attempted to be done or, however, what we are attempting to do which is, as I explained in introducing the Bill, to provide against what the Government feel are certain injustices in the existing legislation. Now the main attack on the Bill, I think, is with respect to section ten, which defines all the various things that might be seized or confiscated or whatever, But that section, Mr. Speaker, is exactly as in the 1962 Legislation and is virtually word for word with the Provisions of the Canada Wild Life Act and the Canada Fisheries Act. It was suggested at the time that the Bill should conform with the Criminal Code of Canada in respect of entry and seizures. But the Criminal Code of Canada is a code of general application, which, I think, does not get down to the specific problems of dealing with the situation out in the bush or in the open countryside, such as the Canada Wild Life Act or the Canada Fisheries Act or this particular Bill attempts to do and indeed has to do. There is not very much opportunity for a wild life officer in the bush to find a magistrate and get an order and do all the things that are required to be done and that are conveniently done, say in the City of St. John's. Therefore, Legislation of this type, whether Federal or Provincial and across the country, is quite standard in that it permits wild life officers or fisheries officers. I should say, in respect of comments made about confiscating a fishermen's rod or his reel or his lines

MR. CALLAHAN: or his nets that this, of course, has nothing to do with Fisheries, because we do not have jurisdiction in respect to fisheries. That is the Federal jurisdiction.

But in the case of the present Bill, as the Wild Life Act now stands, Mr. Speaker, if a skidoo or a truck or a boat is seized it cannot be returned to the owner, if he is innocent, until the charge is disposed of. We now propose and this Bill proposes, as it was introduced, that the item may be returned on application to a magistrate in payment of a deposit, so that the owner may have the use of the machine pending the disposition of the case. We think that is an improvement.

Additionally, as the Act now stands, the Wild Life Act (and we want to change it) as it now stands action for prosecution need not be taken for a period up to twelve months. And what we want to do by the amendments which were brought in here some time ago, is reduce the limitation, reduce the time period that is provided, during which action must be taken, to three months. In other words, as it stands now, the department, the officials are not required to proceed to take action for prosecution for an entire year. In the meantime the materials seized, be it a car or a truck or an airplane or a boat or a skidoo, is held in custody, Mr. Speaker, for that twelve month period or whatever time it takes to get the prosecution underway. And we feel that that is not just, that it is most unjust. The amendment seeks to reduce the time period during which action must be taken to three months, while at the same time permitting the owner to go to a magistrate and if he can obtain from the magistrate an order returning his vehicle or his seized item in return for making a deposit.

MR. CALLAHAN:

As the Act now stands, if meat or other perishable goods are seized there is no protection for the owner. It simply may be disposed of and the owner, who may eventually be proved innocent, loses the value of that material seized.

The amendment would require that perishables be sold and that the monies received from the sale be paid over to the owner if he is proved innocent.

Now in some cases it might be possible to hold these perishable goods but -

MR. WELLS: That is the wrong attitude. The owner should not be proved innocent, if the Crown fails to prove him guilty.

MR. CALLAHAN: Well, I agree with the hon. gentleman, Mr. Speaker, but what I am saying is that if the determination of the court is that the man is innocent then he does not have that penalty inflicted upon him. Whereas as the matter is now, if a perishable material is seized, there is no means of disposal, in many, many areas there is no means of preserving it, with the result that it simply rots or something. I have seen it happen and the man loses the value. So this requires us to make a good sale and to provide the proceeds to the owner, if the prosecution is not successful.

The amendment also provides an appeal procedure against forfeitures, Mr. Speaker, something which did not exist before. The amendment now provides for an appeal to the Supreme Court. This matter was raised in the debate on second reading and I am quite prepared to change that so that the appeal may be made to any Magistrate. I do not have copies, I do have written in a photostatic copy, the particular changes. I think they are simply made and maybe made in Committee. So as far as the first part of the Bill is concerned, Mr. Speaker, that Section 10 one, ^{to} which I have referred which outlines the things that may be seized, this is not changed from the 1962 legislation except to delete the last part which automatically required seizures and forfeitures. That is what we principally have changed and the amendments derived from that, in that they provide now a procedure for forfeitures ordered by a Magistrate rather than arbitrarily by a wildlife officer. This section, as it now stands, 10(1), is almost word for word, identical, with other legislation of similar intent, particularly the Canada Fisheries Act and the Canada Wildlife Act, although not as harsh as those and indeed was based upon them. Rather

MR. CALLAHAN:

than destroy British justice, as somebody said, I think this amending Bill puts into the Wildlife Act some real justice, as I said in introducing it.

The other thing I want to add, Sir, is this that we have discussed this legislation with the Canadian Wildlife Federation and with the Newfoundland Wildlife Federation, and, to my surprise, both organizations or the heads of these organizations (both of whom are resident in this Province) were critical in the sense that they thought we were weakening the present legislation and they thought it should be made tougher. But I think, in very real terms, Mr. Speaker, what this amendment proports to do and will in fact do is introduce some justice and some equity into a situation which for the past seven or eight years, since the present legislation was approved, has contained very serious inequities and serious injustices. I hope the House will view what we have done in that constructive way.

I move second reading.

MR. MURPHY: Mr. Speaker, with reference to wildlife, I know there is an obligation on us all to protect wildlife and to deal with poachers in a manner deserving for their very acts. I am very pleased to hear indeed that in addition we have perhaps restored a little of justice to the offender who after all is not guilty until he is proven guilty. Honestly I do not see anything that we could object to. I think we could support this now. The emphasis being on both sides it was our obligation to perserve our wildlife for those that come after us. No doubt about it, there are areas of this Province where desecration is taking place of all forms of wildlife. I support the Bill because, as I said, we are treating every individual as a human being and giving him the right to be heard and tempering mercy perhaps with justice or tempering justice with whatever form we wish to deal with an offender. So I do not see any objection to it and I feel that we could support this Bill in its present form.

MR. CROSBIE: Mr. Speaker, we continue to oppose the Bill because we believe that there are excessive police powers in this amendment and nothing the Minister has said so far does away with my objections to certain sections of the new section 10 of the amendment. So I am going to vote against this in

MR. GROSBE:

the second reading, and if it goes to Committee we can deal with it clause by clause, until the Minister suggests there be an amendment. I do not know if it will fit the Bill but in any event I think it is not well thought out, that the powers given the wildlife officers are too great and there is too much possibility of injustice in the present form of the Bill, but it has all been debated before so there is no need to go into it again.

MR. SMALLWOOD (W.R.): Mr. Speaker, when this Bill originally came in I had some objections to it. I understand that the Minister has corrected or attempted to correct some of the points which I have brought up and which other members of the House brought up. There was one, I am not sure whether or not the Minister mentioned it a few minutes ago, and that is 10 sub-section 6 which reads as follows: "Notwithstanding subsection(5), where the ownership of any wild life, paper, document, record, material, implement, appliance, or thing seized pursuant to subsection (1) cannot," (now, Mr. Speaker, these are the important words), "at the time of seizure, be ascertained by the wild officer by whom the seizure is made, the wild life, paper, document, record, material, implement, appliance or thing is, upon the seizure thereof, forfeited to Her Majesty in the right of the province."

Now, Mr. Speaker, as I said, the important words, as I see it, in that subsection, the important words are "at the time of the seizure." That means that, for instance, if, Mr. Speaker, you were the owner of a machine or a piece of equipment and you lent it to somebody, in all good faith, and that person went out and committed a breach of the wild life regulations and saw a wild life officer coming and simply dropped the piece of equipment, whatever it was, Your Honour had lent, and made his escape, then the wild life officer would come up, pick up the piece of equipment and, therefore, naturally he would not know who owned it and then right at that time that equipment would be forfeited to Her Majesty. Then for Your Honour to get that back, he would have to go to court.

Now the original wording was to go to the Supreme Court. I understand that is going to be changed to go to the Magistrate's Court. My objection, Your Honour is, "at the time of seizure." I think that in such a set of circumstances the owner should be given a reasonable time to come and claim his

MR. SMALLWOOD:

article and to prove to somebody's satisfaction that he himself was not the person who dropped the piece of equipment or used it, to give a reasonable explanation to someone as to how the equipment got there or naturally to be obliged to tell to whom the piece of equipment was loaned. But, as it is now, a person innocently could lend a piece of equipment to someone, in all good faith, and that person could go out and commit a breach of the regulations and see a wild life officer coming and simply drop the equipment and run or even, on getting caught, refuse to say who own it. Then, automatically, right at the instant that the wild life officer would pick up that equipment, it would be forfeited to Her Majesty and the rightful owner, who broke no law whatsoever, would be forced to go to court to get it back.

Now if Your Honour decides today to lend Your Honour's automobile to someone and that person goes out and drives on Water Street, 100 miles an hour, and kills a dozen people, Your Honour's automobile is not forfeited. So why should a piece of equipment be forfeited if it is lent to somebody, in all good faith, and that person commits a breach of the Wild Life Act? I do suggest that there should be some wording in it, that these words, "at the time of seizure" be taken out and substituted by other words which would give the owner a reasonable time to come in and explain the situation, and then if after a reasonable time, whatever the time would be, two or three weeks, then it would be forfeited, at least some period for the owner to come in. Well, if the owner lent his equipment, he would find out from the person who used it illegally what happened to it. Then he would get a chance to go to the Minister or to the Department and explain. Then, of course, he would naturally have to tell to whom he loaned the equipment, if he wanted to get it back. Then that would inform the Department who the person was, who was using the equipment at the time, so that they could go and convict him.

MR. MURPHY: (Inaudible).

MR. SPEAKER: I do not want to cut out the debate on this, but this debate that is going on right now is something that would be more appropriate and more suitable in Committee of the Whole where amendments could be suggested to the wording of certain sections rather than have it brought up on second

MR. SPEAKER:

reading.

MR. CROSBIE: Mr. Speaker, as a matter of fact, the Minister closes the debate because we all spoke before on second reading.

MR. SPEAKER: Right. I did not realize it at the time. That is quite correct.

On motion, Bill read a second time, ordered referred to a Committee of the Whole House presently by leave.

MR. SPEAKER: Order please!

MR. JONES: Mr. Speaker, with leave I might reply to a question that was raised by my hon. learned friend from Burin this morning when he challenged the Government for its nefarious action in taking Government funds and putting them in a satchel and carrying them off all over the world, and Liechtenstein. He said he would withdraw his remarks if I could show him that there were any precedents for our doing this. I want to inform the House and my hon. friend that both the Government of Canada and the Government of Quebec have no restrictions at all where they carry their bank accounts, and bank deposits can be placed anywhere in the world, with any bank, whether it is on the Canada Bank Act or not.

HON. MEMBER: Withdraw, withdraw, withdraw, withdraw.

MR. SPEAKER: What is the wish of the House in connection with the adjournment period for lunch?

I now call it 1:00 o'clock and I do now leave the Chair until 2:45 o'clock.



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VERBATIM REPORT

THURSDAY, JUNE 18, 1970

SPEAKER: THE HONOURABLE GEORGE W. CLARKE

The House resumed at 2:45 p.m.

Mr. Speaker in the Chair:

MR. SPEAKER: Next Order

MR. CURTIS: Number 7, Mr. Speaker.

MR. SPEAKER: Second reading of Bill number 34. That is the pension plan for the Constabulary Force of Newfoundland.

MR. CURTIS: Mr. Speaker, in moving the second reading of this Bill, I do not think that I need to go into it in any great detail. The Bill really just puts in writing what is the present practice. I might say from the point of view of the police, the fire department and the wardens, it is an exceptionally fine Bill. You will notice, if you look at the very last schedule, that after fifteen years the percentage of salaries that they get as a pension is thirty percent, after fifteen years. In other words, it is two percent per year. Then after thirty years it is gone up not to sixty percent, but to seventy percent. Instead of sixty percent it is seventy percent. That is a misprint, instead of seventy it is seventy-five percent.

I do not think I need go into the Bill in detail. It has been circulated, and it sets forth the retirement age. Up to the first of April 1967 a noncontributory pension plan existed for the persons referred to. There was no provision in that plan for benefits to widows and children of deceased pensioners. The persons concerned may elect to be pensioned under the old pension plan now made contributory, effective from the first of April 1967, or come under the new plan that would be provided under the Bill. Certain gratuities are payable under the old pension plan that are not payable under the plan that would be set up by this Bill.

The great benefit of the new plan over the old is a survivorship benefit therein incorporated. It is anticipated that all persons concerned will come under the new plan and not elect to come under the old. In the past it has been rather embarrassing in a way. Some of the police wanted to come under the old plan and some wanted to come in under the new plan. We think, however, the new plan is so attractive that they will all come under the new plan which really is very favourable, very beneficial, and very generous pension scheme.

I move second reading.

MR. CROSBIE: Mr. Speaker, we are in favour of this legislation. I think that the minister is right when he says that it is a very generous pension plan. I cannot see anybody in the Constabulary or the Fire Department or in Department of Highways, motor engineers or motor mechanics in the Joint Services garage, having any objection to this pension plan, because, it is certainly a very generous pension plan.

A man, after he has worked with the Police Force or Fire Department for thirty years, can retire and receive seventy-five percent of his annual salary at the date of retirement. That is certainly generous. I think he has to be fifty-five. - I was just looking through the Bill - I believe that you have to be fifty-five before you can retire, if you are an ordinary member of the force. I am not sure if that is in there, If it is not, there should be some provision like that. No, fifty-nine, because otherwise, of course, the man could join the force at the age of twenty and he could retire at the age of fifty and get seventy-five percent of his salary for the rest of his life.

The only comment I would make on the plan, other than that, is the comment that I have made before in the House. That is that the contribution, it is my view that the contribution of the employee should go into a fund and should not go into the consolidated Revenue but should go into a trust fund. Ideally, this pension plan, together with the other civil service and teacher's pension plans, all should be funded. I believe that the contributions of the employees should be matched by the Government each year, and they should go into a fund which is invested and which will help meet the pensions when they come to be paid in later years. I am seriously concerned, Mr. Speaker, with the tremendous drain that is going to ^{be} on the Treasury of the Province, certainly within the next five or ten years when a lot of quite high pensions are going to have to be paid out of the Consolidated Revenue. A considerable part of the budget of the Province, to mention the next four or five or ten years, is going to have to go towards pensions and we are currently making no provision to help meet the accrued liability that is building up.

Every year that goes by, under these plans is accruing a tremendous liability for the taxpayers of this Province in later years, and we are making no present provision to help meet those liabilities. All the liabilities are going to fall on the taxpayers of Newfoundland in the years to come. Mind you, a shortsighted policy for this Government. This Government will not be in office certainly in five years time or ten years time or fifteen years time, at which time there is going to be a heavy burden on the Government of that day to meet all the general provisions of the new pension plans for teachers, the police, firemen and civil servants.

I think that this is a problem that should be grappled with. Their contributions each year should go into a fund. The Government each year should put six percent of the - should match the contributions in that fund and that should be invested, as is done in most Provinces to meet future liabilities. However, that is not the present Government's policy. Apart from that we support this legislation. We think it is a very good plan from the point of view of the police, fire department and the other men concerned. Of course the one great advantage for them is that their widows and children will get half of their pension if they predecease them.

MR. MURPHY: Mr. Speaker, I feel much the same way as the member for St. John's West. There are a few things I think that we can discuss when we get into committee, but at the present time I do not see any objection, particularly by the people concerned. This pension plan seems to be pretty generous indeed, and it might establish a pattern perhaps for pension plans effective throughout the whole civil service.

As I mentioned the other day, there are so many boards and committees and so on and so forth in the civil service now, I believe it is time to sort of bring them all together under a uniform pension plan. With regard to the matter of funding, as referred to by the hon. member for St. John's West, I think that is very important too, because, as he has pointed out, the premiums and the contributions are being collected and put into the regular funds of the Government and not too many years from now we will have to start bringing out whopping amounts of money to pay pensions. It will have to

come out of current account at that time, so, I believe myself that in the next year or two, uniform pension plans will have to be developed and a regular method of funding will have to be taken up. I think we support this Act as such.

On motion Bill read a second time, ordered referred to a Committee of the Whole House presently by leave.

MR. CURTIS: Number 20.

MR. SPEAKER: Second reading of a Bill, "An Act Further To Amend The Newfoundland And Labrador Power Commission Act, 1965." (No. 83)

MR. CURTIS: Mr. Speaker, this Bill amends the principal Act so as to authorize the borrowing by the Newfoundland and Labrador Power Commission in any currency authorized by the Lieutenant Governor in Council, and to provide for redemption in substituted currencies. That really is the main clause of the Bill. In that way, it matches similar clauses in the Revenue and Audit Act and in the Bill we put through this morning - the Revenue and Audit Act.

In these days, much borrowing is done in Europe, which means that there are many, many currencies involved. Some of the currencies are Euro dollars, some are other dollars and it is being impossible, in fact, a recent loan raised by the Government of Newfoundland is being held up pending legislation allowing us to borrow in the funds that the money is available in. It is just one of these technicalities which could not have been anticipated before. But the loan has been arranged by the Government, in this case, and I am not so sure but there is one by the Power Corporation too.

This really brings our legislation up to date and enables us to go into the European market. The Bill also takes away from the Commission the power to borrow by way of interim loans, that is except to the extent assented to by the Governor in Council. It provides for temporary borrowing without the approval of the Lieutenant Governor in Council, subject, however, to maximum aggregate of money set by the Lieutenant Governor in Council, the purpose of this amendment being to enable the Commission to take advantage of an offer of money quickly in a money market where speed is essential (Clause 6) and

lastly, to provide for the mechanical reproduction of the common seal of the Commission on its securities, just as is at present authorized in respect to certain signatures - the Minister of Finance and other officials.

I would move the second reading of this Bill which I think will commend itself to the House.

MR. WELLS: Mr. Speaker, let us not kid ourselves about what we are doing here. Most of the things the hon. minister mentioned are quite correct and relatively harmless except clause 3, which in fact provides that, with the prior approval of the Lieutenant Governor in Council, there is no limit on the borrowing of the Power Commission, except such limit as may be set by the Lieutenant Governor in Council.

This House no longer has the control. They can borrow directly as much as they want, as an agency of this Government, either that, or the Governor in Council can execute a guarantee on behalf of the Government, if they want to borrow a couple of hundred million. It is up to them, They go out, whatever the Governor in Council says. If we are going to do it, let us be fully aware of what we are doing. We are not just authorizing the mechanical reproduction of the seal of the Power Commission and authorizing the borrowing in currencies other than U.S. or Canadian dollars.

Clause 3 of the Bill provides that the Power Commission may borrow - they may issue such bonds, debentures - or other securities to be issued in a principal amount not exceeding such sum, at a rate of interest, on such terms and conditions and with provisions for redemption at such time or times as may be approved by the Lieutenant Governor in Council, which could involve our borrowing. Under the amendment that was put through to the Revenue and Audit Act, two or three years ago, the Government no longer has to come to the House for approval to borrow, so that it is not a substantial departure, but we are now extending it to the borrowing of the Power Commission as well as the direct borrowings of the Government. This is the net effect of clause 3.

Frankly, I disapprove of it, I am not at all happy and I say this honestly with the amendment to the Revenue and Audit Act. I was a member

of the Cabinet at the time it was done, I am not particularly proud of it, I do not mind admitting frankly, because, the control that the House of Assembly has over the purse strings, so called, has been all whittled away, and away, and away, and away and it is all but negligible at the moment. What is left to the House of Assembly is the right to criticize after the deed has been done, to close the barn door after the horse has gotten out.

By reason of the fact that it has already been done to allow the Government to borrow directly for the needs of the Province, it is not a substantial departure from what is now the situation except to the extent that it allows it to be done by an agency of the Government and not the Government itself. Albeit the Lieutenant-Governor in Council has to approve in every particular case, but now the Power Commission can go out and borrow with the guarantee of this Province without prior approval of the Legislature. This is wrong in principle and I disagree with that. The other items in the Bill are pretty routine and now much to be too concerned about.

If this is going to be done, let us be aware of what we are doing. We are not providing for the mechanical reproduction as it stands.

MR. MURPHY: Mr. Speaker, I do not wish to sound repetitious, but I do agree with the hon. member who predeceased me...

MR. WELLS: Pre - what?

MR. MURPHY: Predeceased - oh I am sorry! preceded me. The reports of your death were greatly exaggerated for sure - who preceded me, but I think all members will recall that this was the bone of contention that we brought before this House on many occasions in previous years, where the authority of the ninth floor was brought to the eight floor. In other words, the power was taken away from the House of Assembly and given to the Executive Council or the Cabinet as such. We felt that through these various Acts authorizing the Lieutenant Governor in Council to take such actions as this paragraph 3. entitles him to do, they are just making a rubber stamp out of this Assembly, As the hon. member has pointed out, we always come back and the only thing we can do is criticize it.

Again, we are just battling numbers. We are out numbered two or three to one, so we never can have any hope of winning a vote on it. It is

unfortunate, really unfortunate that these sections are in these Acts. We have brought forward on many occasions - the Government has argued that an emergency may arise and this type of thing, and I always argue that we are not back in the fifteen hundreds where we had to travel by dog team or schooner to get into St. John's. It is only a matter of hours now. We are bragging about our great transportation system and I feel that if there is any emergency arising, and the approval of the House of Assembly is sought, it can be done within hours.

We can only go on record again as being against this particular section but, as I say, it is just a matter of repeating what we have been saying for years. We feel that the official duties, if you like, or the authority of the House of Assembly has been placed in the Cabinet room on the eight floor.

On motion, Bill read a second time, ordered referred to a Committee of the Whole House presently by leave.

MR. CURTIS: Committee on 20 and 7.

COMMITTEE OF THE WHOLE:

MR. CHAIRMAN (HODDER): Bill no. 34.

Amendment to Clause 2, section (e) insert "s" on the word "matron." There is a further amendment on page 8, (4b), Clause 2, deleting all the words after "year" down to "are paid." Shall the amendments carry? Carried. Shall the clause as amended carry? Carried.

Amendment to clause 4, add "s" after matron in paragraph "R" Shall the amendment carry? Carried.....

and the same thing in the second line of (b), page 10

On motion amendments carried.

On motion Clauses (4) - (42) of the amendment carried.

Motion that the committee report having passed the Bill, "An Act Respecting A Pension Plan For The Constabulary Force Of Newfoundland, The Officers And Men Of The St. John's Fire Department, The Officers And Men Employed At That Prison Commonly Known As Her Majesty's Penitentiary And The Motor Engineer And Motor Mechanics In The Joint Service Garage," with some amendments.

A Bill, An Act Further To Amend The Newfoundland And Labrador Power Commission Act, 1965."

On Motion Clauses (1) - (8) carried.

Motion that the committee report having passed the Bill without amendments, carried.

On motion that the committee rise report having passed Bill no. 83 without amendment and Bill no. 34 with some amendments. and ask leave to sit again, Mr. Speaker returned to the Chair:

MR. HODDER: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report having passed Bill no. 83 without amendment and Bill no. 34 with some amendments and ask leave to sit again.

On motion report received and adopted. Bills ordered read a third time now by leave.

On motion, Bill no. 34, ordered passed and title be as on the Order Paper.

On motion, Bill no. 83, ordered passed and title be as on the Order Paper.

Motion, second reading of a Bill, "An Act To Make Consistent The Provisions In Various Acts Respecting Insertions In Newspapers." (Bill no, 79).

MR. JONES: Mr. Speaker, this Bill is a very short Bill and as the explanatory notes says, it is to make consistent the provisions of various Acts respecting insertions in newspapers. Upon scrutiny it was found that in at least four Acts there were different procedures followed. In the Alcoholic Liquors Act, The Crown Lands Act, The Crown Lands Mine And Quarries And Industrial Standards Act, all had different regulations governing the insertion of advertisements.

By this Act, it is proposed to bring them all in line so that there will be a uniform treatment of all matters.

I would draw the attention of the House, Mr. Speaker, particularly to the amendment to the Alcoholics - the one referring to the Alcoholic Liquors Act which says now that before you can open a store, the board will have to advertise in a paper that is to be published and circulated in the electoral district where the store is proposed to go. This will stop people who want a liquor store in St. Anthony from advertising in the "Burin Beacon" or whatever it is, on the Southwest Coast.

I move second reading.

MR. CROSBIE: Mr. Speaker, this Bill confirms the suspicions that were expressed here yesterday when the amendment was being made to the Public Printing And Stationery Act. The effect of that amendment, which was carried over the opposition of all the opposition, was to say that the "Newfoundland Government Bulletin" would be deemed to be a newspaper for purposes of publishing Government advertisements in the paper. It was said here yesterday (and this is now confirmed) that what would happen would be that the only place where an advertisement was going to appear would be in the "Newfoundland Government Bulletin." So, this Act, that is before us now, changes the Alcoholic Liquors Act, The Crown Lands Act, The Crown Lands Mines And Quarries Act and The Industrial Standards Act.

So, instead of an advertisement having to be published in at least two issues of papers, the Crown Lands Act - two issues of a daily newspaper,

Mr. Crosbie.

Crown Lands Mines And Quarries Act and at least two issues of a newspaper, Industrial Standards Act.

Now the uniformity is going to be that they will only have to be published in one newspaper and, of course, that newspaper will be the "Newfoundland Gazette." The amendment now, under the Crown Lands Act - this says in one or more issues of a newspaper published and circulated in the Province. Well that will be the "Newfoundland Government Bulletin." That is the purpose of this amendment. As was stated here yesterday, it was felt by the opposition: (1) the "Newfoundland Government Bulletin" is not a newspaper, because it does not publish news. It publishes propaganda only. (2) people do not read the "Newfoundland Government Bulletin" as they do read newspapers, and they are far less likely to read advertisements in the "Newfoundland Government Bulletin," because that bulletin is automatically thrown in the fire or down the outhouse - you know, on the outhouse floor or the post office floor. They are not going to be reading ...

There is one thing we do not have to worry about, Mr. Speaker, and that is that the "Newfoundland Government Bulletin" can influence anyone. There is nobody in this Province influenced by that except members of the Cabinet who like to look through it to see if their picture is in today or not. The Government should grant us funds, Mr. Speaker, to publish an opposition newspaper - "The Reform Liberal P.C. Paper." Why should we confine ourselves to reforming Liberals. We should be reforming P.C.'s too.

Anyway, Mr. Speaker, we object to the Bill for that reason, because this is just to open the door so that one publication in the public bulletin will do to meet all these requirements. So, we oppose that.

MR. MURPHY: Mr. Speaker, I have a kind of suspicious mind also and that was the first thing that struck me, when I read this. Following the events of yesterday, where before it was in at least two issues of a daily

Mr. Murphy.

newspaper now one or more and in this case, I would say, the minimum would become the maximum. I think the one would be the one and that is this famous document that the hon. member referred to so I am not going to belabour the point. But there is one thing that strikes me, Mr. Speaker, and perhaps I might get some information on this, and it is not actually part of this Bill.

Could someone tell me is the advertising relaxed on liquor ads in the newspapers? Is it not compulsory as of now to put underneath, "not inserted by the Board of Liquor Control." I notice recently in papers that there are small one inch by two or three ads running different types of liquor and this is not appearing. Is not that compulsory advertising liquor of any kind to say, "not inserted by the Board of Liquor Control?" I know it is not being used now. I am wondering if that was relaxed and where it appears?

It was always used.

MR. CURTIS: It was not a legal requirement.

MR. MURPHY: I thought it was a part of our Statutes.

MR. CURTIS: The board asked to have that done so they would not be pestered with advertising.

MR. COLLINS: Do they have letters to the editor's column or a proposal to the editor's column.

On motion a Bill, "An Act To Make Consistent The Provisions In Various Acts Respecting Insertions In Newspapers," on a second time, ordered referred to a Committee of the Whole House presently.

Motion, second reading of a Bill, An Act Respecting Collective Bargaining Between The Government Of The Province And Its Employees And Certain Other Employees."

MR. JONES: Mr. Speaker, I apologize. This Bill is entitled: "An Act Respecting Collective Bargaining Between The Government Of The Province And Its Employees And Certain Other Employees." I may say in introducing second reading, Mr. Speaker, that this Bill comes as a result of months, literally, of negotiating and talks between

officials of the N.G.E.A. and a sub-committee of Cabinet and more latterly between the N.G.E.A. and Treasury Board.

The Bill in itself is simply a piece of enabling legislation which sets out and defines very, very briefly, I would think, for a Bill of this nature, steps that can be taken and the powers to make various regulations leading to collective bargaining between the Government as management on the one part and the employees who are the public servants on the other.

It is not my intention, Mr. Speaker, to go into any lengthy discussion of the Bill except to say that it is being introduced at the request of the large majority of the public employees of the Province of Newfoundland and Labrador. I move second reading.

MR. CROSBIE: Mr. Speaker, this piece of legislation has been long awaited and it is a case of the Government mountain quaking and rocking for months and then producing pretty much of a squeaking mouse, because this piece of legislation is in the mouse category. This is not the great step forward in collective bargaining for the Government employees, the civil servants of this Province, that we all expected to accord with the Budget Speech - the Speech from the Throne. This is rather the timid squeak of a little hamster or a little mouse that has escaped from the Government cage and is called, "An Act Respecting Collective Bargaining Between The Government Of The Province And Its Employees And Certain Other Employees." That is a misnomer, because this Act, Mr. Speaker, does nothing, really, except provide that the Government can do certain things, if it passes certain regulations. This is number 88. This Bill does not tell this House or the people of Newfoundland how the Government is going to carry on collective bargaining with its employees. It is all left to the regulations.

Now the one good feature of this Bill is Section (13): "The Hospital Employees Employment Act, 1966-67" - the Act no. (11) of 1966-1967 is hereby repealed. So for that reason alone, I would vote

Mr. Crosbie.

for the legislation, for this Bill, because it repeals the Act that forbids the hospital workers to strike, ^{which} will be repealed once this legislation is proclaimed by the Lieutenant Governor-in-Council. I think all members have agreed that that was not the right approach or is not now the right approach in dealing with labour relations of the hospital employees.

There are several other points, I think, which should be made. When the Government have all of its plans formulated, Mr. Speaker, and knows how it is going to conduct this collective bargaining process, I, for one, certainly hope that there will be considerable publicity given to it as to just how the system is to operate - what groups of employees are permitted to strike - what groups are not permitted to strike and just how this whole system is going to operate?

Now there is another great weakness in this Bill. The Bill will permit, under Section (5) will permit certain employees to withdraw their services in the manner and to the extent prescribed by the regulations. In other words, certain employees will have the right to strike - withdraw their services jointly. That is pretty circumscribed. It is in the manner and to the extent prescribed by the regulations, which means nothing. In other words, the Government is ...

MR. MURPHY: Inaudible.

MR. CROSBIE: The Government has not made up its mind to what extent they will allow that. This is going to be prescribed by the regulations.

Now if it is prescribed by regulations, Mr. Speaker, regulations can be changed over-night. The Cabinet has a meeting. They may have one at 7 p.m. and pass a new regulation. Suppose the Cabinet has said that employees of the Department of Highways - temporary casual labour are permitted to strike and the casual labourers employed by the Department of Highways decide to go on strike, the Cabinet

Mr. Crosbie.

can get together and pass a new regulation - a regulation stating that these employees can no longer strike. So, the only protection, for Government employees or civil servants who are given the right to strike, would be to have that right clearly expressed in legislation that can only be changed by this House, because then the Government would have to call the House together. That would take a couple of days. The whole matter would be debated publicly.

So, I think, that the legislation is puny, obnoxious, mousy. It is no step forward at all in the labour relations of this Province. All the power is still in the hands of the Government who are going to decide everything by regulation and do not have to refer anything back to this House.

So, I say this to the employees of the Government in this Province and to employees who funds come from the Government; This is not a step forward in labour relations in Newfoundland for you. Do not be fooled by it. You are going to be no further ahead when this legislation is passed, than you were yesterday or a year ago or two years ago - not a bit further ahead. All power is still centralized and located in the Government. We all know how this Government loves power. It does not intend to surrender it.

Hospital workers, if the Act is proclaimed, will have the old Hospital Employers Legislation repealed but a regulation can be passed by the Cabinet - the Governor-in-Council - to forbid you to strike anyway. So even hospital workers should not get too excited about this. In other words, it all remains to be seen how the Government is going to approach this problem.

AN HON. MEMBER: We are a Machiavelli bunch are we not?

MR. CROSBIE: Not Machiavelli, just power mad. Not Machiavelli, because there are in this House today people who can see the Machiavelli twists and turns of the thinking of the Government - the labyrinth ways in which the mind of the Government works. This is not the great step forward

MR. Crosbie.

we hoped that it might be. There is another thing, Mr. Speaker. I understand that as far as most civil servants are concerned, they do not care about the right to strike. They do not care if the Government gives them the right to strike. They do not intend to strike anyway. Most of them are white collar workers. What they would like to see is this legislation containing a clause providing for binding arbitration. That when the Government and its employees cannot agree on wages or working conditions that there would be an arbitration board and that the arbitration board's award would be binding on both parties as it is in other provinces.

I understand that this is a law in Nova Scotia. This is a law in Ontario. This is a law in Alberta. Even if it were not the law in any of those jurisdictions, why not? If the right to strike is not being demanded by the Government employees or the N.G.E.A. but they are, instead, requesting binding arbitration, why not binding arbitration or if the Government still believe in this old argument that is brandished every time the subject is mentioned and that is that the Government could not be bound as to what ^{it} is going to pay out in salaries and so on, although mind you, Mr. Speaker, that is a false argument because the Government expropriates property every day. It expropriates land and buildings and arbitration boards settle what payments are going to be paid, and they have done that for years. When an arbitration board sits on a hearing as to what the Government should pay for land and buildings, which are expropriated, and makes its finding, the Government have to pay the amount of that award.

So, what is the difference if there is binding arbitration in connection with employee relations. This legislation instead of giving the right to strike, which can be removed by regulation, should rather specifically give a right to binding arbitration. It is the same weakness as I mentioned in another debate on the police, Constabulary Act. There should be binding arbitration.

It is also noticeable that there is no provision in the

Mr. Crosbie.

legislation for recognition of any one bargaining group or even
more than one bargaining group - the N.G.E.A.

MR. CROSBIE:

the area is not recognized and nor is there any provision made as to how bargaining units are going to be recognized whether there will be one bargaining unit for the whole Government service or whether different groups can compete to try to represent the Mental Hospital employees or the Gander Hospital employees or the Department of Highways employees, none of this is outlined or regulated in the Bill. All in all, Mr. Speaker, it is a tremendous flop, this Bill is a tremendous flop.

The Budget Speech proclaimed in such clear tones how the Government was going to enter into the twentieth century, into the 1970's, with collective bargaining for the employees. That is what it proclaimed and now at the end of the session this, one would not call it an abortion although one is tempted to call it that, this piece of legislation is produced -

MR. ROWE: The phenomena would be an aborted mouse.

MR. CROSBIE: An aborted mouse or a mousey abortion, one or the other, that is all you could call this Act. Very disappointing, Mr. Speaker. If this were earlier in the session we would go on, on this piece of legislation, for one or two days. It deserves one or two days of debate and trashing, but what is the point? the Government, with its massive majority, its blind willful majority, is going to crush all opposition in the House and push through this legislation.

AN HON. MEMBER: Is that the abortion he is talking about?

MR. CROSBIE: I have a question, I cannot quite figure out Section 4 of the Act. What is going to be the position of privately owned hospitals? Subsection 4 of Section 4 says, "Any privately owned hospital or the corporation or other authority managing a hospital may be excluded from the provisions of Section 4 by serving notice on the President of the Treasury Board that it wants to be excluded." Then subsection 5 says, "While a privately owned hospital or the corporation or other body of authority managing any such hospital is excluded from subsection 2 of Section 4, it shall not, unless and to the extent that the regulations otherwise provide, receive any monies, by way of grant or subsidy, from the Province, notwithstanding that such moneys may have been voted by the Legislature." What kind of double talk is that? What kind of double fink? Are the Grace Hospital, St. Clare's Hospital, Western Memorial Hospital,

MR. CROSBIE:

the Grand Falls Hospital but in particular St. Clare's and the Grace, are they to be forced to come under this collective bargaining legislation under Section 4? If they are given a choice, this legislation says, they can tell the Government they elect not to come under it and the next subsection says if they tell the Government that the Government can say, "You will not get any public moneys. Now how can St. Clare's or the Grace operate without public moneys. The thing is a travesty. At least I do not understand it unless the Minister of Justice, the Acting Premier, not the Deputy Premier, the Acting Premier explains, I do not know whether the Deputy Premier acts or the Acting-Premier is the Deputy.

MR. MURPHY: We cannot figure it out.

MR. CROSBIE: We cannot figure it out.

MR. MURPHY: I think there is a new bill coming in this afternoon.

MR. JONES: Why do you not let us worry about it? We will worry about that.

MR. CROSBIE: Well, Mr. Speaker, I could almost cry when I see that piece of Legislation but I cried so often during this session of the House, at the outrageous arrogance of the Government, that I am all cried out and I just cannot get another tear out of my tear ducts. So having made these points we will just have to submit to the cruel authority of the Government's massive majority.

MR. NEARY: Thank you for supporting us.

MR. CALLAHAN: Mr. Speaker, as a member of the cruel, massive, blind, willful majority I want to say a few words about this puny, obnoxious, mousey, terrible, inadequate, dreadful, frightful, preposterous, aborted, near-aborted, tremendously plucky, preposterous Bill and to say that I support it.

Mr. Speaker, as the Minister said and my colleague said in introducing the Bill, it is primarily to provide certain principals on the basis of which the Government can proceed, in corporation with the employees, with the public service, to establish collective bargaining procedures. I think the Bill would have been much more detailed and indeed the drafting of versions of this Bill has been going on since about last August. The difficulty has been to try to provide for all the various groups that there are, with all the problems of mixed representation. There are some groups, the NGEA, for example, represent members of still other groups and associations, there are all kinds of over-

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lapping jurisdictions. The problem has been, Mr. Speaker, to, in the first instance, draft a complete Bill that would satisfy all the groups to some degree and at the same time to consult with them, once a satisfactory draft has been prepared, and this simply has not been possible to do.

I might say, for the information of the House and my hon. friend from St. John's West, that this particular draft was discussed in detail yesterday at a lengthy meeting of the Treasury Board, with the representatives, the President and the General Manager of the NGEA. Except for, I think, one or two amendments, which my colleague will bring for Committee stage or that I may introduce for him, the NGEA agreed completely with the position that has been taken. They realize too, Mr. Speaker, that the time factor and the various jurisdictional problems to which I have referred have made it very difficult to do anything entirely satisfactory.

Now we know, for example, that NGEA are not happy with the provision permitting strikes. They have not asked for it and indeed they have indicated that they do not want it and they would prefer not to have it. They would prefer to have compulsory arbitration but, at the same time, a very large group of people who are represented in some respect by NGEA and in some respects by the Canadian Union of Public Employees, hospital workers generally speaking, do not appear to be in favour and certainly CUPE are not at all in favour, and publicly have said so, of binding arbitration. They want the right to strike.

So it has been very difficult to come to any kind of position, Mr. Speaker, that would satisfy everybody. So the decision taken was that we would bring a Bill, which laid down certain principals, a basis from which to proceed, to consult with employees and employee groups and to come to a good working mechanism, which perhaps a year from now could be in the light of experience, because this is a brand new thing and ⁱⁿ the light of experience could be a rather permanent method of collective bargaining written into law. One of the major problems that is going to occur is the problem of exclusions from the bargaining units. Another major problem is going to be the designation not necessarily of individuals but of numbers and categories of employees (and I say numbers and categories not individuals) who may not strike and what is to

MR. CALLAHAN:

be done for them to replace their inability to bring economic pressure by virtue of withdrawal of service. So it may well be that provision, I think, will be made for arbitration, compulsory or binding arbitration, in those cases.

But generally speaking the principal that has been adopted, and some may like it and some may not, is that generally in the process of collective bargaining between the Government and its employees or between the Government and the public service there should not be generally obtaining the principal of binding arbitration. Now the argument that very often is put up is that if employees, (and indeed it was made here today by my learned friend from St. John's West) the argument is put up that if employees are not permitted to strike then they should have binding arbitration. By the same token, if they have the right to strike, binding arbitration should not be necessary because they have a method of settlement in their hands. But I think, in terms of employees who are not permitted to strike, it is only fair to provide another method of settlement for them.

But essentially what is being done here, Mr. Speaker, and we have as I say complete concurrence with the Government Employees Association on this; they ask to come and consult (none of the other groups ask directly to consult on this Legislation but they did) and the assurance was given to them that they would be invited so to do and they have done it and they have concurred. They feel as we feel that, in order to establish a basis in principle and in law for collective bargaining, we should bring in effect an enabling Bill at this point, that we should consult on the regulations, that we should consult on the methods that will be employed to make collective bargaining work and that, in the light of the experience of say the next year, we should then be able to bring in a more formalized method, which would come in the form of Legislation and replace this Bill which is now before the House.

In the course of the study of this matter, Mr. Speaker, attention has been paid and regard has been had to Legislation in every other Province and the Legislation of the Government of Canada. There is none that is perfect. There are some which are more perfect than others, there are some which are terribly imperfect. So there really is not very much in the way of

MR. CAIJARAN:

satisfactory precedent to go on. This is why we do not want to adopt the Nova Scotia Legislation or the New Brunswick Legislation or Saskatchewan or even the Federal, holus-bolus at this time, and find that we have just bought the problems that other people are having because I know, from my involvement in this, that very many of the other jurisdictions are having very real problems.

So that, basically, Sir, is the position. This is simply to enable us to proceed with some basis in law and statute, together with the employees, jointly come up with a system that will be reasonably satisfactory to all the parties concerned.

MR. MURPHY: Mr. Speaker, I am not going to have too much to say on this because it is taken for granted. There has been some form of consultation with somebody, like the hon. Minister has mentioned with the NGEA and perhaps other groups.

AN HON. MEMBER: (Inaudible).

MR. MURPHY: Yes, I am certainly pleased with Section 13, I think we are all for that. I have spoken with many people, within the public service and not officially with the NGEA executive, and I feel now, Mr. Speaker, that an organization such as the NGEA, representing many thousands of public service employees, should continue negotiating with Government. I have mentioned many areas. We are only talking about possibly salaries here, but if we are to have the public service, the civil service that this Province deserves, I believe that many, many other matters should be discussed. I had the honour and privilege to attend their annual banquet and I was ask to say a few words. Unfortunately, one of the Ministers of the Crown had been invited but could not attend. At that time I said I did not have the authority to speak on behalf of Government and I did not wish to speak as Leader of the Opposition, in a political way, but that I would speak a few words as a member of this House of Assembly, which represented all of us.

At that time I intimated that, in my opinion that, the Employees Association had now reached the age of maturity. They had been negotiating for many years, small groups, medium groups and perhaps large groups, but I feel sure, if there is going to be any peace, any tranquility and any co-operation

MR. MURPHY:

within this civil service, and the civil service of today is a very sophisticated group of people in many areas and perhaps representative of all areas of employees, I feel, Mr. Speaker, that this group now has to really sit down, become perhaps more organized than they are, perhaps become more representative than they are of all groups and represent all areas, technical and other forms of civil servants. Only then, Mr. Speaker, will I say, only at that time, can any Government, any House of Assembly, any group of members deal effectively with a matter such as this, when we are aware through the voice with representations made by that Government Employees Association to us, informing us of their wishes, keeping us cued up on just what is happening. It is very, very difficult to discuss something like this when the Minister comes in and says that they have been holding discussions with the various people concerned.

So I would say this, Mr. Speaker, to the NCEA, their officers, their business manager and anybody in authority that in the next few months various items that have been under fire, that have been argumentative, should be brought together and this House kept informed of just what their wishes are, what they feel about this Legislation. Because, after all, I think this was only tabled here today. We have had ten or fifteen other pieces of Legislation and, in fairness, and I am not a lawyer but I would like to have a look at some of the provisions. I cannot say that it is the best Legislation possible. We have been promised, as the hon. member for St. John's West said, a great new Bill of Rights in the Budget Speech. Possibly this maybe it, I do not know. I have not heard from the President of the NCEA, I have not heard from anybody. That maybe just what they want, I do not know and who am I to decide that this is what they want or what they do not want.

But my only few words are, Mr. Speaker, that if we are to have the type of public service we want, the type of public service that this Province deserves, I think it has to become even more active than it is now. It has to become, if not in fact in theory, some sort of a labour unit, with perhaps labour practices as done outside the civil service, with certain exceptions, of course. Apparently the desire not to strike is very strong, because I was rather surprised after hearing from various areas of civil service that the ballot was

MR. MURPHY:

returned where they decided to accept the \$45.00 a month increase. Although, as I say, I had nothing official, but speaking to various individual civil servants there appeared to be some great discontent with this. But I think the civil service, the NGEA, as such, want to work along with Government and I feel this was the first step that they took. I think there was a form of co-operation there that they did not want to disrupt any of the people's business. But I feel from now on that that group should become, if possible, more active than they have been. Any ideas that they have to put forward, any thoughts that they would like to put forward, I think both sides of this House could be supplied with them because when we get up to speak here we speak only from what is in this paper, we have no consultation or no advice from the other side, not that we should. We are not their lawyers or anything else.

But I feel to do this thing, in any kind of a manner that is suitable, we should know the feelings, just what the NGEA wants. I am very happy, Mr. Speaker, to see this terrible legislation removed from the hospital employees. What will follow I do not know but I think the next few months it is the responsibility of all civil servants, hospital workers and so on and so forth, to really get together as a unit and keep the people and this House of Assembly advised as to their feelings on various matters.

MR. FRECKER: Mr. Speaker, I will not delay the proceedings very long. I think there is a very real tendency in this House to belabour the obvious and I do not want to add to that. However, as Chairman of the joint council, I should like to support the Bill and, in doing so, to pay tribute to the NGEA for having acted very responsibly during the past year when there were so many temptations to perhaps cause trouble. The fact that the joint council meets whenever possible, on a regular monthly basis, has brought about many good things. Perhaps the most important of all is that the Government has now **conceded** to the NGEA the automatic membership which, as hon. members know, is probably the beginning of a real influence wielded by another organization, namely the Newfoundland Teachers Association.

I feel that the Newfoundland Government Employees Association is in for much better times. This Act is not exactly what the NGEA would have

MR. FRECKER:

wanted, it is not exactly what the Government would have wanted but it is a testimonial, Mr. Speaker, of good will on both sides and it places on record enabling Legislation which will result, after negotiations, in regulations which will give more examples of the good will existing on both sides.

I support the Bill.

MR. ABBOTT: Mr. Speaker, my colleague, the member for St. John's West, intimated that the mountain has laboured and brought forth a mouse. Now this Bill has been rather late in coming forward and I am sure it is due to the rumblings that we have experienced since Act 11, 1966-67 was passed that has prompted the Government in bringing forward this Legislation.

We all appreciate the Government's concern for the employees, especially during the past few months. Those who sat with employees on Boards or Committees negotiations must have had a very trying experience. I personally am in sympathy with the employees because I know that the cost of living during the past two or three years being such that an increase and a sizeable increase was imperative.

This Bill at the present time does have certain sections that are most distasteful. The one whereby hospitals who do not wish to be included or to negotiate, they have the right, of course, to elect, to be excluded from the provisions of this right, but unfortunately they are being penalized. Now the thought occurs to me, is it right to penalize the minority because they refuse to go along with the majority? This is what is being suggested here, to penalize any hospital that we have operating in this Province, penalize them to such an extent that any grants or a subsidy that the Legislature may have voted would be kept from them. That to my mind is not fair. If any hospital is prepared to satisfy its employees without going to arbitration or without going to negotiations I do not see why they should be penalized. In other words, even the grants, hospital grants which are paid by the Governments, hospital insurance grants, would be withheld from the hospitals because they refuse or because they elect to be excluded from the provisions of subsection 2.

This part to my mind, I repeat, is most unfortunate. I know the Bill does carry provision for regulations. In other words, in its present form, bones and flesh will be put on the bones as time goes on.

MR. ABBOTT: The regulations could be of such a nature that it too could be most distasteful to some hon. members. I have certain fears as to this legislation, nevertheless, I am delighted to know that the Bill which was passed by the House in 1966-67, Act No. 11, is to be repealed. That in itself is a good thing in this day and age. But, as I pointed out, I do think that some greater consideration should be given to sections whereby hospitals are penalized for being excluded from the provisions of Sub-section (2).

MR. CHAIRMAN: Mr. Speaker, if the minister speaks now he closes the debate.

HON. E. S. JONES: Mr. Speaker, there are just one or two comments I want to make and that is this, one hon. member raised the point about, we could make regulations tonight, Cabinet would change them tomorrow, that if the temporary workers of the Department of Highways went on strike tonight, we could meet with Cabinet tomorrow and change them, take away the right.

All I can say to that, in spite of the fact that my hon. friend who has made these remarks said that he was supporting the Bill, is this: We have an undertaking with the N.G.E.A. and, I think, I would say the same for my colleagues, that we would do the same with CUPE or any other, the Nurses Association, which I understand they are forming themselves into a bargaining unit at the present time, or any group that would come to Treasury Board and want to sit down with me or with other officials of the Treasury Board and talk about the forming of regulations, we would be quite happy to do so. We gave that undertaking yesterday morning at a meeting of Treasury Board, to N.G.E.A. I am quite prepared to stand behind it.

Mr. Speaker, while I am now speaking on this, I would like to draw attention of the House, ^{to} the fact that the General Manager of the Newfoundland Government Employees Association, Mr. John Wolfe is presently in the Speaker's gallery.

Regarding the question of the privately owned and operated hospitals - quite frankly, I am not too clear on this point myself, I will

MR. JONES: try to get some additional information, or at least my colleague will, for when the Bill goes into Committee of the Whole. But it is my understanding that this provision is here to protect the rights of the workers. Now this is a Bill to provide for the collective bargaining of employees with the Government - employees who are paid mainly or wholly from Government funds. Well, my understanding, I may be completely wrong because I was not too closely associated with this matter, as the House is well aware, I have been away from the office for quite some time until recently. My understanding here that this is a means, a method of protecting the right of the employees in these hospitals, to bargain. For instance, an administration might decide that they would have no part of collective bargaining. The employees in the hospital then could very well be deprived of their rights under this Act. I think this is the legal way of saying that, to protect the rights of the workers there to bargain with the Government. Now whether it is too drastic, the fact that we say that either they permit their employees to bargain or they will bargain with the employees, ^{or} we will withdraw funds, I am not too sure. Mr. Speaker, I will undertake to have this point clarified in Committee of the Whole. I move second reading.

MR. SPEAKER: Is it the pleasure of the House that the said Bill be now read a second time? Carried.

Motion, second reading of a Bill, "An Act Respecting Collective Bargaining Between The Government of The Province And Its Employees And Certain Other Employees," carried. Ordered referred to a Committee of The Whole House presently, by leave.

COMMITTEE

A Bill, "An Act to Make Consistent the Provisions in Various Acts Respecting Insertions in Newspapers":

Motion, that the Committee report having passed the Bill without amendment, carried:

A Bill, "An Act Further To Amend The Wild Life Act";

On Motion that Clause I to III carried.

MR. J. CROSBIE: No, no, Clause IV certainly does not carry. This is a contentious one. This is a Bill to amend the Wild Life Act, Mr. Chairman.

MR. WELLS: The Wildest Bill we have seen.

MR. CROSBIE: It was up before this House some time ago, during the winter, it was pointed out then, and I think it remains the case, that there are many objectionable sections to this Section (4); Section (4) repeals the old section (10) of the Act and inserts a new Section (10). And in my view under this Section (10), contained in the Amendment, the police powers given are far too wide, too large.

The minister, when he was speaking on second reading today, revealed what the thinking is behind this Act. The minister said that, if a man had his motor vehicle seized or his guns or his fishing rods or whatever. Then he went on to say, if he was proven innocent. Well that is the whole burden of this amendment to the Wild Life Act. You are assumed to be guilty, and you have got to prove yourself innocent.

Now just look at the new Section (10(1) of the Act. Any wild life officer who has reasonable cause to suspect that any appliance or thing, or implement or material has been used; or any wild life has been taken in violation of the Act, then he may seize that implement or thing. And that includes guns, firearms, automobiles, trucks, canoes, vessels and refrigerators and so on. He is to retain these things and report to the minister. Let us see - they can sell them. If a person is convicted of an offence under Sub-section (5), then the magistrate can order that these things be forfeited. That is all right, if you are convicted.

Then Sub-section (6) is entirely objectionable. Notwithstanding Sub-section (5), where the ownership of any wild life, paper, document, record, material, implement, appliance or thing seized pursuant to subsection (1) cannot at the time of seizure be ascertained by the wild life officer by whom the seizure is made, the wild life, paper, document, record, material,

MR. CROSBIE: implement, appliance or thing is, upon the seizure thereof forfeited to Her Majesty in right of the Province.

Now that is absolutely nonsensical, Mr. Chairman. In other words, if I leave my skidoo in the wintertime, or if I leave my car, or if I leave my gun, or if I leave my canoe, or if I leave my boat and a wild life officer comes upon it and takes it and he does not at the time he takes it know who owns it, he cannot ascertain who owns it, then automatically it becomes forfeited to the Government. I mean this thing is ridiculous that the Government automatically becomes the owner because some wild life officer comes -

MR. CALLAHAN: Read the amendment I gave to you at twenty minutes to three and it clears all of that up. That is the purpose of the amendment. -

MR. CROSBIE: But the minister's amendment does not touch that.

MR. CALLAHAN: It does.

MR. CROSBIE: You mean that is a new (6) is it not?

MR. CALLAHAN: Five, which is 10(b) provides against that particular provision. It gives an alternative.

MR. CROSBIE: "In case of a forfeiture upon the applicant"-

MR. CALLAHAN: Under (5) or (6)?

MR. CROSBIE: "is innocent of any complicity," "exercised all reasonable care," "he is entitled to an order declaring the nature, extent, and so on."

Well if the minister is going to move amendments, it is just as well -

MR. CALLAHAN: I gave you the amendments hours ago.

MR. CROSBIE: We have not had much time to read this. Well the best thing is let the minister move his amendments.....

MR. CALLAHAN: Yes, I think so. But it will mean that I will have to go on to five, because this is five not four.

MR. CROSBIE: No.

MR. CALLAHAN: Well let us deal with the particular parts.

MR. CROSBIE: Well that is one objectionable section here is (6). On this the minister corrects - that is very objectionable. Then over in subsection (8) is objectionable because anything that is seized, if no prosecution is undertaken within three months, at the end of the three months it can be returned to you. And what we say, Mr. Chairman, is why should anybody be deprived of their property for three months? And have to wait three months to get it back if the Crown -

MR. CALLAHAN: He does not, it shows this in (7).

MR. CROSBIE: Pardon?

MR. CALLAHAN: Seven provides that you can go to a magistrate and get an order and get it back right away while you are waiting for your key.

MR. CROSBIE: Right! Well, now we will just say your objection, and then we will hope that the minister is going to cure it all.

MR. CALLAHAN: Sure.

MR. CROSBIE: Well that is subsection (8). "Any wild life shall after ninety days be disposed of as the minister directs. And you can get a return if there is no forfeiture ordered.

Now unless these things are - we should not vote on (4), Mr. Chairman, until we hear what the minister is going to suggest to be amended in (5). Because we had to vote against (4), unless these defects are ...

MR. CALLAHAN: Mr. Chairman, I dealt with (4) this morning. But I will deal with it again now. The 1962 Legislation, the Act of 1962 provides under 10(b) "any wild life, (I am sorry I will go back). Under 10 (b) any wild life officer who has reasonable cause to suspect that;

(a) any material, implement, appliance or thing has been used; or

(b) any wild life has been taken, killed, or possessed etc. etc.

Then it goes on word for word. There is no change in that section from the 1962 Legislation until you get down to where it says, "canoe or vessel of any description, aeroplane, refrigeration or storage locker or container of any description." Now that is where we have changed it. Now here is what it says and this is what we are taking out.

MR. WELLS: Which subsection?

MR. CALLAHAN: I am looking at the 1962 Legislation, the present Act, which we are changing and making it more reasonable. Much more reasonable! That Act provided this, that the seizure took place. And then upon conviction of any person from whom such wild life, paper, document, material, implement, appliance or thing was seized, for any violation whatsoever to this Act or the regulations the same may and in the case of firearms shall be declared by the convicting magistrate or justice as confiscated to the Crown whether the convicted person is the owner thereof or not, and shall be disposed of as the minister may direct. There was absolutely no recourse under the Legislation as it was.

MR. WELLS: It is very wrong.

MR. CALLAHAN: Exactly that is why we are changing it. Now we have kept the descriptions. We have continued to describe all the items in vehicles and everything, which is standard in the Canada Wild Life Act and in the Canada Fisheries Act on which this is largely patterned. Because this does not deal with a situation in the City of St. John's, as I said this morning, where you can run down and get an order or a search warrant or something. This is out in the country where man has to act, and if he is not permitted to act immediately the chance is gone, so there is no policing, practically possible.

We have kept the descriptions and in replacement of the last portion that I have read which is the seizure and confiscation and all the rest of it, we have brought in the other sections set forth. And essentially what they do is this; let us take a practical case; a wild life officer catches somebody in the act or in at least what appears to be the act. He seizes, let us say, his skidoo, and he seizes the meat and whatever it is. The meat previously, unless there was a place where it could be conveniently taken and stored and frozen and kept, which was almost never, it rotted or it was given away or something. Now we say "no" the wild life officer has the onus on him to take that meat and go and get the best price he can for it, or if it is perishable supplies

MR. CALLAHAN: for the trip, the best price that he can get and that money goes in trust for the individual unless the magistrate orders it to be confiscated. This improves that situation. If his vehicle has been seized, previously we had up to twelve months in which to initiate an action, did not have to take a prosecution for twelve months. We said that was wrong, let us cut it down to three months, which is more reasonable and which is reasonably practical. And in the second instance, if the skidoo or the truck or boat whatever is seized, the owner can now go immediately to a magistrate and obtain the release of that item on the payment of a deposit, which he could not do before. Previously, Mr. Chairman, if your Honour's boat or truck or skidoo or car or aeroplane was seized you were without it and you could not get it back until your case was disposed of. Then, according to the law, if you were convicted you did never get it back because the minister disposed of it as he saw fit.

I have known of at least one case in my own district where a man had borrowed, was convicted, the skidoo was confiscated and the man could not get it back and it was not his machine. As a matter of fact it was belonged to the assistant parish priest, you know, who showed great faith in the man in loaning it in the first place. But this was a \$1200 loss to a person who was not at all involved. Now this happened some years ago, but it was legal under the Act as it stood. Now you have to take a prosecution within three months. The owner may go right to a magistrate and have the seizure lifted on payment of a deposit. I think that is a just provision, while in some respects the wild life people, both the President of the The Canadian Federation and the President of the Newfoundland and Labrador Federation, think we are weakening the Act, If we are, I think we are doing it in the favour of innocents persons who have been deprived up to twelve months of their property, while waiting for prosecution to be taken. So all this has been worked in to (10)

MR. CALLAHAN: in replacement of a simply provision for confiscation which we felt was not a proper provision to have in the Act.

Now, in addition to that reference has been made, Mr. Chairman, to No.6, or at least subsection (6) where the owner is not, immediately or at the time of confiscation or seizure, the owner is not known. And what we have done is, further over in the section dealing with appeals to magistrates, (if I can find it) I gave the hon. gentleman opposite, the member for St. John's West, a copy of this earlier. Subsection (10-b) Mr. Chairman, provides for an appeal where there is a seizure under either (5) or (6). Now (5) is where there is a conviction and a court orders a forfeiture, (6) is a situation where the wild life officer finds, (my hon. friend from Green Bay is not here, raised this question) where a wild life officer comes upon a vehicle which apparently has been involved in some contravention of the law, and he does not know who owns it and, according to the section, is forfeited to the Crown. Well the reason for that is that somebody has got to have title. Now 10-b provided that any person other than a person convicted of the offence that resulted in the forfeiture or a person in whose possession the forfeited item was when seized, who claims an interest, may apply be notice of writing to the Supreme Court.

Now the member for Green Bay disagreed with that, because that was too heavy an onus to place on an individual citizen, to get his rightful property back. We have changed that and said; "may apply to any magistrate." So even in the case now, Mr. Chairman, of a situation where the property cannot be identified, the real owner can apply to a magistrate, prove his ownership and recover his property. And the burden of going to the Supreme Court is not there. Because it was Supreme Court the Bill provided, thirty days, The legal officers tell us that ten days is sufficient in which to file notice. And all the way through now the reference is to magistrates rather than to judges.

MR. CALLAHAN: So I think we have made it easy for the person who is not identifiable as the owner, to get his property back, and I think we have put into the Bill, in section (10) all the things that make it, I think, just.

But I do not want the committee, Mr. Chairman, to be under any misapprehension, We have to have reasonably tough laws in respect to wild life and, because the problems occur out in the bush, there is no easy reference either to judges or magistrates or police - these are wild life officers. They are quasi peace officers, but they are not police. We have to have strong protection in the Bill, because, if we do not, we are going to have more problems than we will be able to manage. We have them now as it is. We have cases of wild life officers being set upon, by friends and relatives of people who are caught in the act. And if we weaken the protection that this House provides for the wild life officers, then we might as well tell the wild life officers to come home and forget it.

MR. WELLS: Mr. Chairman, the amendments that the minister is now proposing, I just now have had the opportunity, they were brought in when the session opened this afternoon. The amendments that the minister is now proposing makes this much more reasonable, I agree. Quite frankly, I agree with him too that we have to have very stiff regulations and very stiff penalties to protect our wild life. The wild life of this Province is of great value to the Province. I, frankly have no sympathy for the poachers who go out and net rivers for salmon or kill two or three moose or whatever the case maybe and just take the choice meat out of it. So I agree with very stiff punishment for offenders against the wild life.

The thing that bothers me about the Act, when I first saw it, was the unreasonable search and seizure provisions of the Act. Much of this has now been taken care of by these amendments that have been proposed by the minister. And I am prepared to agree with most of them. I still do not like subsection (3) of Section (10), I think, it is too

June 18th. 1970

Tape 1295

PK - 10

MR. WELLS: general, if it can be confined in such a way as to be assured that only wild life or other things that are capable of rotting within a short time would be sold, I would agree. But no

MR. WELLS: No material thing like a shotgun, skidoo or anything like that which is capable of perishing.

MR. CALLAHAN: Well, it says perishable goods, I mean that is.....

MR. WELLS: No it does not, it says.....

MR. CALLAHAN: Well the note on it says perishable goods.

MR. WELLS: It says, wild-life or other things will rot.

MR. CALLAHAN: The interpretive note on the side says perishable goods.

MR. WELLS: Yes, but the interpretive note means nothing in the courts.

MR. CALLAHAN: Well, I know that

MR. WELLS: It means absolutely nothing, the court has to interpret the section, that wild-life - instead of " or other thing, or other perishable thing," put that in front of it and I would have no objection to it. I just want to make sure that neither the minister nor anybody acting on his behalf is going to take rifles or any other such thing and sell them. I think that should be, if the minister would agree, if it make no difference, if that is what he really intends, then I do not see why he does not agree with this and the amendment that he has already suggested. I am prepared to agree to it.

MR. CALLAHAN: Would the hon. gentleman suggest a wording and we can do it right now?

MR. WELLS: Yes, "wild-life or other perishable things."

MR. CALLAHAN: Perishable?

MR. WELLS: Perishable thing.

On motion Clause as amended, carried:

MR. ABBOTT: Mr. Chairman, there is one point, the hon. minister has referred to a deposit being given by the accused. What happens in a case where the accused is unable to give a deposit? Will you accept, or will the wild-life officer accept a bond? Why not say, a deposit or a bond? Very often people do not have the cash - you know, some of these people are poor men, not deliberately defying the law, but if he can get a quarter of moose or he is doing something he should not do, nevertheless, he is caught and he needs money to make a deposit.

MR. CALLAHAN: In sub-section 7, Mr. Chairman, the sixth line will become "a cash deposit or bond."

MR. WELLS: He signs a bond, the magistrates all have the standard form.

MR. CROSBIE: There will also have to be a change in sub-section 10, the second last line, " if the fine is paid or cash deposited."

MR. NEARY: Do you have these amendments now Mr. Chairman?

MR. CALLAHAN: Okay, we will straighten the credit out.

On motion, section as amended, carried.

MR. CHAIRMAN: Shall section 5, carry?

MR. CALLAHAN Mr. Chairman, on 5, in the last line but one, in sub-section 1, of 10b, which reads to a Judge of the Supreme Court of Newfoundland, I will simply state the desired amendments, if my colleague will move them when I have stated them. That would become "any magistrate" instead of "a Judge of the Supreme Court of Newfoundland." In 2, the word " judge" in the first line would become "magistrate." The word " thirty " in the second line of 2, would become " ten," in 3, the word "fifteen" in 3 on the second line would become "three" actually, I am not sure if that is enough. I think perhaps that should be at least five days Mr. Chairman. Could we say or agree to five, three days is not enough notice. In 4, the second line, the last word "judge" becomes "magistrate." Sub-section 5, is out and then there would be an amendment to this effect, and this would be lodged with the clerk. 5 would be replaced by this appeal section. Section 21, of the summary jurisdiction Act, with respect to appeal to the district court therein referred to shall, mutatis mutandis apply to an order made under sub-section 4 of this section 10b. That is here and I will lodge it with the clerk.

Does the clause as amended carry?

MR. WELLS: Mr. Chairman, there are other amendments that the minister had marked in this paper. I do not know if he did not look at that page or not.

MR. CALLAHAN: There is another amendment Mr. Chairman, in 6a, where the words " or other things " in the first line of (a) would be deleted and the words " wild-life or other thing " would be inserted in the third line after " or" so that it would say, " or wild-life or other thing." redelivered and

so on. That amendment is also written in here.

There is a jurisdiction section, hon. members will see tagged on to the last page of this. It is really spelling out the jurisdictional procedure I think. They will be much more aware of and informed than I. If that is satisfactory to them, I think it will be to everybody and my colleague

MR. WELLS: Oh yes, there is no sense in a right of appeal to a magistrate unless you allow him the jurisdiction over goods to that amount.

MR. CALLAHAN: My colleague will move all these now, and I will pass this to the clerk.

On motion, amendment carried.

On motion, clause as amended, carried.

On motion, section 6, carried.

On motion, that the Committee report having passed the Bill with some amendment, carried.

MR. CHAIRMAN: Bill no. 84, clause 19.

Shall 19, carry? Carried.

MR. WELLS: Mr. Chairman, I move that sub-section 3, as it appears in clause 20 of the Bill, be deleted and what I have typed out, (I do not know if there is any necessity to read it, the minister has seen it, the Minister of Justice has seen it, it has been drafted by an officer in the Department of Justice.)

MR. CROSBIE: You had better read it for us now, old boy.

MR. WELLS: All right, the chief insists that I read it, so.....

MR. HICKMAN: You had better do what you are told.

MR. WELLS: The new sub-section 3, will be - will now read, " the authority shall, after considering the plans, specifications, reports and such other information as may be required under sub-section 1, submit a report with recommendations to the minister, and the minister may, after considering the report and taking account of the recommendations therein, and considering also any provisions in the regulations relating to quality, properties, and treatment of sewage or standards of emission for gaseous or particular substances as the case may be, grant approval to the construction of the proposed wharf, which

approval may be given subject to such terms and conditions as may be warranted by the foregoing considerations and accounts taken."

MR. CROSBIE: Sounds pretty good.

MR. CALLAHAN: Mr. Chairman, I think the hon. gentleman cannot move it, but I will ask my colleague to move it.

MR. WELLS: Oh, I can move it, there is nothing wrong with my moving it.

MR. CALLAHAN: It is a Government Bill, you cannot move.....

MR. WELLS: Yes, I can move an amendment to it. Of course I can.

MR. HICKMAN: Of course, by all means, sure, and I will second it.

MR. WELLS: There are a few others - do you want to treat that one first Mr. Chairman?

On motion, amendment carried.

MR. WELLS: In sub-clause 4, I move that the words " in the opinion of the minister " be deleted, and substituting therefore the words " upon receiving a recommendation from the authority that."

MR. CALLAHAN: That is the same as the previous

MR. WELLS: Yes, and in that same sub-clause 4, by deleting the word "deemed" in the fourth line from the left of that sub-section, so that it would now read "as may be deemed necessary." There is one more on clause 23.

On motion, amendment carried.

MR. WELLS: That is it for clause 20.

On motion, clause as amended carried.

MR. WELLS: Mr. Chairman, in clause 23, I move that clause 23 be amended by adding another sub-clause as sub. 2, by inserting the figure (1) in front of the present clause 23, and by adding as sub-section 2, the following:
Subsection 3, of section 20, shall apply to an approval by the minister, under this section, insofar, as it effects a body of water to which sub-section 2 of section 13 applies. Now, I have that written out. It does not mean very much to read it, but what it means is that this last amendment I have made about giving the authority for recommendation of the plans and that to the authority instead of the minister's opinion, for setting out that way, applies to any hydro-electric development or dam controlling water flow in section 23 to the extent that, it is water as referred to in sub-section 2 of section 13.

and that is only bodies of water in respect of which rights have already been granted. Bodies of water in respect of which the Crown now has complete control would not be affected by it. The Crown would still have total and complete control.

MR. CALLAHAN: I would like to have a look at that one, I have not seen it.

MR. WELLS: Let me put it this way. Clause 13, of the Bill, provides for two types - it gives the minister absolute control over all Crown waters and makes all waters in the Province Crown waters except, and the exception is in sub-clause 2, which is waters in respect of which rights to hydro-electric development and so on have already been granted, prior to the passage of this Bill.

Now then, the amendment which I just moved to clause 20, allowing the authority to make recommendations and so on, instead of the minister's opinion, applies to such waters in respect of which rights have already been granted, but does not

MR. WELLS: Apply to water that the Crown owns. There it is absolute, clear jurisdiction. The Crown can refuse the right to develop, as it sees fit.

MR. CALLAHAN: But what is the effect now, let us see. In respect of which rights that have already been granted, now the authority, in one way or another, is interposed between the grantee and his rights is it not?

MR. WELLS: Yes, the authority can still make recommendations to the minister and the minister can still make orders respecting pollution control and so on the same as in sub-clause 3, of section 20.

MR. CALLAHAN: Has the Minister of Justice seen that?

MR. WELLS: Yes. I showed it to him, I do not know if he read it or not. This came from the Department of Justice by the way. Okay? I am sorry, there is one more. That is all of it for clause 23.

On motion, clause 23 as amended, carried.

MR. WELLS: Clause 26, I move that all of the words after the word "water" in the third last line be deleted, and that a "period" be inserted after the word water.

MR. CHAIRMAN: Shall the amendment carry?

MR. WELLS: The effect of it I might tell the committee, is to leave the law as it is. There is no right to an action in trespass anyway, because, any inspector going on the property is doing so by virtue of a statutory right, so, there is no right to a technical action in trespass, By taking out these words it just leaves the law as it is.

On motion, amendment, carried.

On motion, clause as amended, carried.

Motion, that the Committee report having passed Bill no. 84 with some amendment, carried:

This Act may be cited as a public service collective bargaining Act, 1970. (Bill no. 88)

Clauses 1 to 4 carried.

MR. JONES: Mr. Chairman, to clause 5, I have an amendment moved by the hon. the Minister of Justice. (Sub-clause 5 of section 4), as follows:

Mr. Chairman. I will hand the amendment to the clerk after I have read it.

" In the event that the privately owned hospital is excluded from sub-section 2, of section 4, the Lieutenant-Governor in Council shall have the right to determine the extent to which, and the terms and conditions upon which funds voted by the Legislature shall be made available to such hospitals for salary purposes."

On motion, amendment carried.

On motion, clause as amended, carried.

Clauses 5 to 7 carried.

MR. CALLAHAN: Mr. Chairman, 2 of 7, reads, " Every person who is guilty of an offence under the regulations is liable, upon summary conviction, to the penalty prescribed therefor by the regulations." My colleague has asked me to move the following amendment which I shall pass to the clerk when it has been moved. It would have this effect, of adding to the wording " now into" the following words, "but any penalties so prescribed shall not exceed a fine." In other words, this puts a limit on the generality of that clause. " But any penalties so prescribed shall not exceed a fine of (a) \$25.00 in the case of an employee, and, (b) \$1,000.00 in the case of a bargaining unit provided, however, that each and every continuance for a day or part of a day of the failure to comply, or the contravention, may be deemed to constitute a separate offence."

That would be inserted as part of 2, Mr. Chairman, simply as an addition so that there is no renumbering, I think, required. Oh, I am sorry, there is another one. Well that is that Mr. Chairman, There is a further one, perhaps your Honour would wish to go that one first.

MR. CHAIRMAN: Yes.

MR. CALLAHAN: I so move, Mr. Chairman.

On motion, amendment carried.

MR. CALLAHAN: Mr. Chairman, also in sub-clause 3, concerning arbitration in certain cases and the binding effect thereof. The sub-clause 3, is as follows: I am sorry, clause 3. "Where under (a), paragraph 1, of sub-section 1, a designation is made that employees who may not strike, and (b) paragraph (m) of sub-section 1, a withdrawal of services is forbidden, or employees are

ordered to return to duty, the regulations shall provide for arbitration and the binding effect thereof." This is where employees are prevented either by designation or by being ordered back to work in an emergency, the regulations shall provide for arbitration and the binding effect thereof. I so move Mr. Chairman. This would be a new 3, and the effect would be the renumbering as I originally suspected of 3, and 4, to become 4 and 5.

On motion, the amendment carried.

MR. CROSBIE: Before the clause carries Mr. Chairman, this would appear to be an improvement. Does that mean that there is a Government decision that, in the case where strikes are forbidden, there will be binding arbitration or just that the regulations may permit there to be binding arbitration?

MR. CALLAHAN: I think it is safe to say, Mr. Chairman, that there will be, where employees clearly are prevented or forbidden to strike, there will be provisions for binding arbitration.

MR. CROSBIE: If that is the case then Mr. Chairman, I think it is a great improvement if that.....

AN HON. MEMBER: (Inaudible)

MR. CROSBIE: Pardon?

MR. CALLAHAN: (Inaudible)

MR. CROSBIE: Right, well it would not bind the Government unless the Government agreed to it. Well, if that statement of policy is the Government's position then it would be a very good step forward, Mr. Chairman, and I would certainly support it. We all hope that there will be a satisfactory arrangement worked out and that the regulations will be fair and equitable, and that the Government will have binding arbitration that will be carried forward if the employees are forbidden to withdraw their services.

MR. JONES: Mr. Chairman, I would like to say that this was agreed to yesterday morning with the N.G.E.A., and I was a little bit surprised that before I had an opportunity, that my hon. and learned friend from St. John's West did not give me an opportunity to introduce this before he castigated the Bill as being this that and the other thing.

MR. CROSBIE: It was not there before now, how could we not castigate it when it was not there?

MR. JONES: Mr. Chairman, that is quite so, but what I said was that an agreement had been reached yesterday to have this clause inserted, but I did not have an opportunity to explain it before my hon. friend spoke to great length.

MR. CROSBIE: We forgive you.

MR. JONES: Thank you very much Mr. Chairman, But I wonder if he will take back all the various adjectives that he used to describe this piece of legislation?

MR. CROSBIE: The mouse is turning into a rat.

MR. CALLAHAN: I want to be sure there is no question about the position. Some months ago, the Newfoundland Government Employees Association, in a brief to the Government, asked for collective bargaining, including the principle, across the board to everybody of compulsory arbitration. They were not interested in strikes. Now, for the reason I gave the House, on second reading, which I now give the committee, the decision has been made not to accept that proposition as a general dispensation. So that generally speaking, in the public service strikes will be permitted, but, where particular employees are clearly and expressly forbidden to strike, as some in essential services necessarily must be, I think.

This is the Government's position. Where particular employees are expressly forbidden to strike, provision will be made for the settlement of the dispute in respect of those particular employees by arbitration which will be binding. The same thing will apply, if necessary, to employees ordered back to work. What we are doing is not, (I want to make this clear) is not providing binding arbitration across the entire public service, in every case. This is in the particular cases to which I have referred.

On motion, the amendment carried.

On motion, the clause as amended, carried.

On motion clauses 8 to 14 carried.

Motion, that the committee report having passed Bill no.

88, with some amendment, carried.

On motion, that the Committee rise and report having passed Bills no. 14, 84 and 88 with some amendment, and Bill no. 79 without amendment, and ask leave to sit again, Mr. Speaker, returned to the Chair.

MR. SPEAKER: The Chairman of Committee of the Whole reports, that they have considered the matters to them referred and directed him to report having passed Bills, 79, without amendment, and Bills 14, 84 and 88 with some amendment.

On motion, report received and adopted, Bills ordered read a third time, by leave.

On motion, Bills no. 14, 84 and 88 as amended, read a third time, ordered passed and title be as on the Order Paper.

On motion, Bill no. 79, read a third time, ordered passed and title be as on the Order Paper.

Second reading of Bill no. 66

MR. CURTIS: Mr. Speaker, this proposed Bill authorizes the Lieutenant Governor in Council to enter in to an agreement with Churchill Falls, whereby the Social Security Assessment exemption would be extended to include transmission lines. The exemption as originally worded exempted Churchill Falls from the payment of the S.S.A., in respect of machinery, equipment, materials, articles and things and other tangible personal property installed, consumed or used in the establishment, construction, equipment or expansion of any facility for or incidental to the development of electricity to the Upper Churchill River.

Any facility has been interpreted as including the transmission lines, but the decision of the courts in another Province had indicated that this was not so and this caused some concern to the holders of Churchill Falls bonds. To clear up this concern, the word transmission has been included in the exemption. In other words, Mr. Speaker, it was always understood that they would be exempt, but this decision in another Province proved embarrassing. Certain other matters were raised by the company. For example; when two of the generators went into operation did the exemption then cease with respect

to the remaining generators to be installed? It was the view of the Department of Justice that the exemption did not cease, as it would fall under the expansion provisions under the existing exemption, but, at the request of the company it was agreed to include sub-clause 1(a) of the agreement further to the schedule of the Act for greater certainty only, as it merely restates what the company already enjoys.

The exemption, which was granted with respect to the gasoline tax, was amended to conform with the wording of the Social Security Assessment exemption, even though the word "transmission" was included in the gasoline exemption already existing.

In clause 2, of part 4, the commencement date of the application of clause 2(a) was not stated but it was fixed, in the opinion of the company, by the legislation enacting the agreement of which that clause formed a part. The legislation stated that the agreement became fully effective and had the force of laws from the fourteenth day of July, 1966. For the sake of certainty therefore, the words "as of and from July, 14th., 1966" are added to the same clause 2(a). I move Mr. Speaker, the second reading of this Bill.

MR. CROSBIE: Mr. Speaker, I only have the question about the schedule of the agreement, section - well it is on page 6, section 1(a), which will exempt from S.S.A. tax machinery, equipment, goods, materials, articles, things and all other tangible personal property installed, consumed or used

MR. CROSBIE:

in the establishment, construction, equipping or expansion in Labrador of any works, buildings, structures and plants for or incidental to any aspect of the development, generation and transmission with the Province of hydro-electric power from the whole or any part of the Upper Churchill." Now this power, Mr. Speaker, is not going to be used within the Province. So as far as I am concerned the whole exemption is quite illegal. The power that is now being generated and transmitted from Churchill Falls is going to be used outside the Province, not within the Province, and to my mind the whole exemption is therefore ultravires. It is an exemption for property used to build works, buildings, structures and plants incidental to the development, generation and transmission within the Province of hydro-electric power, but all of this power except for 300,000 horse power was going to be used outside the Province.

AN HON. MEMBER: (Inaudible).

MR. CROSBIE: I know but these buildings and structures and transmission lines are being used to produce power that is going outside the Province. So I think on this wording the bond holders should consult their solicitors again. If I were asked to give an opinion I would advise the Government that it is not exempted at all.

On motion a Bill, "An Act To Authorize The Lieutenant-Governor In Council To Enter Into An Agreement With Churchill Falls(Labrador) Corporation Limited Further To Amend The Lease Executed And Delivered In Pursuance Of The Churchill Falls(Labrador) Corporation Limited(Lease) Act, 1961, As Amended, And To Make Statutory Provisions Relating To The Lease," read a second time, ordered referred to a Committee of the Whole House presently, by leave.

MR. CALLAHAN: Mr. Speaker, what is provided in the Bill very simply is -

MR. SPEAKER: It would be nice if the Chair knew what we were talking about. Which Bill? Nobody has been advised which Order has been called.

Motion, Second Reading of a Bill, "An Act Further To Amend The Statutory Mining And Shipping Agreement Executed Pursuant To The Government-The Flintkote Company - Atlantic Gypsum, Limited(Authorization Of Agreements) Act, 1960."

MR. CALLAHAN: I am sorry, Mr. Speaker, I thought it had been moved. Very

MR. CALLAHAN:

simply it is to provide to the Flintkote Company at St. Georges in its gypsum operations an exemption - You do not want to know what it is? All right then, I move second reading, Mr. Speaker.

On motion a Bill, "An Act Further To Amend The Statutory Mining And Shipping Agreement Executed Pursuant To The Government - The Flintkote Company - Atlantic Gypsum, Limited(Authorization Of Agreements) Act, 1960," read a second time, ordered referred to a Committee of the Whole House presently, by leave.

Motion, second reading of a Bill, "An Act To Amend The Annual Vacations With Pay Act, 1969."

MR. KEOUGH: Mr. Speaker, the Vacations With Pay Act does not provide for vacation pay for workers in prominent environment who do not qualify for annual vacation due to absence for longer than the qualifying period of work, ninety per-cent of the regular working hours in a continuous twelve-month period. To give an example let us take the case of a person who works as a clerk in the law office, he or she may ask permission to take a three-month leave of absence, to pay a visit abroad. Because of the Act provision that requires attendance at work for ninety per-cent of the regular working hours to qualify for annual vacation, he or she loses entitlement to annual vacation in that year, quite naturally. But it is not intended that he or she should lose vacation pay for the time he or she worked and this amendment will remedy a defect in our present Legislation and bring it into agreement with other Provinces.

The amendment provides that any person who has worked less time than that which qualifies him to receive vacation pay shall receive the equivalent of vacation pay in proportion to the time worked.

I move the second reading.

On motion a Bill, "An Act To Amend The Annual Vacations With Pay Act, 1969," read a second time, ordered referred to a Committee of the Whole House presently, by leave.

Motion, Second Reading of a Bill, "An Act To Ratify, Confirm And Adopt An Agreement Made Between The Government And Radex Minerals Limited, And To Make Certain Provisions Relating To That Agreement."

MR. CALLAHAN: Mr. Speaker, this Bill would ratify an agreement under which

MR. CALLAHAN:

Radex Minerals Limited which is an exploration company registered in the Province of Ontario is committed by agreement to carry out mineral exploration over an area of approximately 5,000 square miles but ~~excepting~~ private rights such as the Reid Newfoundland Company areas and certain other crown reservations particularly excluding minerals, quartz, quartzite and fluorspar. Actually the company is looking for uranium in the area sweeping up from the Burin Peninsula toward Bonavista Bay.

Under the agreement the company in the four year period are required to spend a minimum of \$500,000.; seventy-five thousand(75,000.) in the first year; one hundred and twenty-five thousand(125,000.) in the second and one hundred and fifty thousand(150,000.) in each of the third and fourth years. During the exploration period the Company, as a standard in these agreements, is required to submit annual reports of the work done and also audited reports of the expenditures made and if mining operations arise out of the agreement the Company will be required to pay all taxes of general application in the Province. I move Second Reading.

MR. CROSBIE: Mr. Speaker, just a couple of comments on the Bill. The exploration period is four years, as the Minister says, with \$500,000 to be spent and on the assumption, which I hope is correct, that the Minister will see that the agreement is carried out, that seems fair enough: Now under Clause 7 of the agreement the Company has to submit, to the Government each year, an audited statement of how much money they have spent, certified by a reputable firm of auditors. Of course, this information, if the Company complies with the agreement the Minister will have it at his fingertips. This is the kind of information that the opposition has sought earlier in this session from the Minister with respect to various people who have these kind of agreements with the Government and which explanations we did not get. Despite the fact that we therefore should harangue on this Bill for an hour or two about the significant omissions of the Minister with respect to giving us any useful information at all in these exploration matters, since it is getting late in June we will not. But I just hope that if we ask a question next year, if there is no election intervenes and we ask a question next year, that the Minister will

MR. CROSBIE:

supply us with the information which he must have in his Department under these agreements.

MR. HICKMAN: The hon. member has my assurance that if there is an election the questions will be answered.

MR. CROSBIE: I believe that the former Minister of Justice is going to become Minister of Mines, Agriculture and Resources in the new regime, if there is one.

MR. HICKMAN: And about three other portfolios.

MR. CROSBIE: Just one other comment. In Clause 21 of the Bill the Radex Company is permitted to assign, transfer, set over or otherwise dispose of to any person, firm or corporation any rights that it has under this agreement. I believe, Mr. Speaker, that the Government should not agree to that kind of clause. I suggest it would be better if the Company could do it with the consent of the Government or if the Government does not want to insist on that, that the Company should be required to give notice to the Minister as to who it is assigning any rights under the agreement, so the Minister knows just what is happening under all these agreements. In other words, Radex, under this Clause 21, could just assign all their rights under this agreement to some other company or some other person or two or three companies and under the agreement the Minister would have no notice of it, the Government would have no notice of it and the Radex Company is not required to give it. I think that is wrong.

So I would suggest to the Minister that the next agreement of this kind he should insist that notice be given him of any transfers of rights and even better that the Government should have to consent to such transfers of rights.

On motion a Bill, "An Act To Ratify, Confirm and Adopt An Agreement Made Between The Government And Radex Minerals Limited, And To Make Certain Provisions Relating To That Agreement," read a second time, ordered referred to a Committee of the Whole House presently, by leave.

Motion, Second Reading of a Bill, "An Act Further To Amend The British Newfoundland Exploration Limited (Petroleum And Natural Gas) Act, 1963."

MR. CURTIS: By the Act No. 48 of 69, the Lieutenant-Governor is authorized

MR. CURTIS:

to enter into an agreement with BRINX relating to exploration for oil and gas in the Province on or before the 31st day of March 1970. The object of the proposed Bill is to extend the period during which the Lieutenant-Governor would be authorized to enter into such an agreement for the further period of one year to March 31st, 1971.

have

As a matter of fact, Mr. Speaker, we do not, the terms and conditions to put in it and that is the reason there has been no agreement drafted and this is just an extension to suit both parties so that they can find out from Alberta and from other Provinces who have similar interests just what the terms and conditions of such an agreement should be. I move the Second Reading.

MR. CROSBIE: Mr. Speaker, has BRINX under the original Act and are they actively investigating petroleum and natural gas prospects here in the Province? I mean, are they active in this field here or is ^{it} the position that they are not active yet and that is what the agreement is going to be about, what is the position?

MR. CURTIS: They are active but they have no protection. They only have the right to make an agreement.

MR. CROSBIE: Which has not been made yet, yes.

On motion a Bill, "An Act Further To Amend The British Newfoundland Exploration Limited (Petroleum And Natural Gas) Act, 1963," read a second time, ordered referred to a Committee of the Whole House presently, by leave.

Motion, Second Reading of a Bill, "An Act Further To Amend The Government-British Newfoundland Exploration Limited(Authorization of Agreement) Act, 1957, And The Agreement Made In Pursuance Of That Act."

MR. CURTIS: There are two matters involved, Mr. Speaker, in this draft Bill.

(a) The period in respect of which exploration rights were granted for each of the areas referred to the sub-paragraphs of paragraph(b) as amended by Section 3 of the draft Bill terminated on different dates and it was felt that it would be in the interest of the extensive exploration program, which the company has undertaken, that all of the exploration periods should terminate on the same date. BRINEX, who own Whalesback Mine; have been plowing back into exploration all of its profits from this mine and this year the total being

MR. CURTIS:

spent on exploration will exceed \$2. million which, of course, includes moneys other than those arising from Whalesback profit. The exploration period in respect of the first area granted was for twenty-three years, from March 14th, 1957 thus terminating on March 14th, 1980 and the effect of the amendment is to have the exploration period, in respect of all the other areas over which the exploration rights have been granted, terminate on the same date namely March 14th, 1980.

(b) There were some slight differences in the descriptions of the properties as contained in previous enactments. For example, in Shapio Lake area, area (h), the first measurement was 16.57 miles but on closer examination it was found to be 16.73 miles. Similarly certain areas in Labrador granted by and described in the 1969 Legislation were found upon measuring to be incorrectly described. The proposed Legislation corrects all the errors in descriptions. Other than the foregoing there is no change in existing Legislation and I move the Second Reading of this Bill.

On motion a Bill, "An Act Further To Amend The Government-British Newfoundland Exploration Limited (Authorization of Agreement) Act, 1957, And The Agreement Made In Pursuance Of That Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave.

On motion a Bill, "An Act To Authorize The Lieutenant-Governor In Council To Enter Into An Agreement With British Newfoundland Corporation Limited To Amend The Lease Executed And Delivered In Pursuance Of The British Newfoundland Corporation Limited (Lower Churchill River Lease) Act, 1966-67, And To Make Statutory Provisions Relating To The Lease," read a first time, ordered read a second time now, by leave.

MR. CURTIS: I move, Mr. Speaker, the Second Reading. Legislation authorizing the Lieutenant-Governor in Council to execute and deliver a lease of the Lower Churchill to BRINCO for the purpose of developing electricity which was enacted in 1966-67. This agreement has not been executed by the Government but it contained a provision granting an exemption from SSA and gasoline tax similar to that contained in the lease of the Upper Churchill Falls. Even though the agreement has not been executed it is felt that it should conform with the SSA

MR. CURTIS:

exemption contained in the Upper Churchill and the idea is simply to make this Lower Churchill lease be the same as the Upper Churchill lease. I move the Second Reading.

MR. CROSBIE: Mr. Speaker, this is to do with the development of the Lower Churchill and the Minister has said that the Government has not entered into any lease with BRINCO on the Lower Churchill and I assume that the Government is not going to enter into any agreement with BRINCO on the Lower Churchill until we can decide where the power from the Lower Churchill is going to go. In other words, I presume it is still the policy of the Government that, if at all possible, the power from the Lower Churchill is going to come to the Province of Newfoundland, to be used in Newfoundland and Labrador and not sold for use outside the Province, and there is no lease until all those questions are settled, presumably. Would that be the position?

MR. CURTIS: The position, Mr. Speaker, is simply this; that we are very anxious to get it developed for the sake of the work it will give but when it is developed and when it goes, in the first instance to the Mainland or here, we always have the right to recall our share of that electricity and whatever we do there will be no commitment to ship outside of the Province what we can use in the Province.

On motion a Bill, "An Act To Authorize The Lieutenant-Governor In Council To Enter Into An Agreement With British Newfoundland Corporation Limited To Amend The Lease Executed And Delivered In Pursuance Of The British Newfoundland Corporation Limited (Lower Churchill River Lease) Act, 1966-67, And To Make Statutory Provisions Relating To The Lease," read a second time, ordered referred to a Committee of the Whole House now, by leave.

COMMITTEE OF THE WHOLE:

A Bill, "An Act To Amend The Annual Vacations With Pay Act, 1969."

On motion, Clauses 1, 2, carried.

MR. KEOUGH: Mr. Chairman, Clause 3. The Justice Department advises that Clause 3 should be stricken out and the following put in its place: "This Act shall be deemed to have come into force on the first day of June 1970."

On motion amendment carried.

On motion Clause 3 as amended carried.

Motion that the Committee report having passed Bill No. 50 with some amendments, carried.

A Bill, An Act To Authorize The Lieutenant-Governor In Council To Enter Into An Agreement With Churchill Falls (Labrador) Corporation Limited Further To Amend The Lease Executed And Delievered In Pursuance Of The Churchill Falls (Labrador) Corporation Limited (Lease) Act, 1961, As Amended, And To Make Statutory Provisions Relating To The Lease."

On motion, Clauses 1,2,3,4,5, carried.

Motion that the Committee report having passed Bill No. 66 without amendments, carried.

A Bill, "An Act Further To Amend The British Newfoundland Exploration Limited (Petroleum And Natural Gas) Act, 1963."

On motion Clauses 1,2,3, carried.

Motion that the Committee report having passed Bill No. 69 without amendments, carried.

A Bill, "An Act Further To Amend The Government-British Newfoundland Exploration Limited (Authorization Of Agreement) Act, 1957. And The Agreement Made In Pursuance Of That Act."

On motion, Clauses 1,2,3,4,5, carried.

Motion that the Committee report having passed Bill No. 67 without amendments, carried.

A Bill, "An Act To Authorize The Lieutenant-Governor In Council To Enter Into An Agreement With British Newfoundland Corporation Limited To Amend The Lease Executed And Delivered In Pursuance Of The British Newfoundland Corporation Limited (Lower Churchill River Lease) Act, 1966-67, And To Make Statutory Provisions Relating To The Lease."

Clauses 1 through 5 carried,

Schedule carried.

Motion, that the Committee report having passed Bill No. 92 without amendment, carried.

Committee of the Whole on Bill, " An Act Further To Amend The Statutory Mining And Shipping Agreement Executed Pursuant To The Government-The Flintkote Company-Atlantic Gypsum Limited (Authorization of Agreement) Act, 1960."

Clauses 1 through 5 carried.

Motion, that the Committee report having passed Bill No. 68 without amendment, carried.

Committee of the Whole on Bill, "An Act To Ratify, Confirm, and Adopt An Agreement Made Between the Government And Radex Minerals Limited And To Make Certain Provisions Relating To That Agreement."

Clauses 1 through 3 carried.

Motion that the Committee report having passed Bill No. 91 without amendment, carried.

Motion that the Committee rise report progress and ask leave to sit again, Mr. Speaker resumed the Chair.

MR.HODDER: Mr. Speaker the Committee of the Whole have considered the matters to them referred and instructed me to report having passed Bill No. 50 with some amendment. Bills Nos. 66, 69, 67, 92, 68,91 without amendment and ask leave to sit again.

On motion report received, bills ordered read a third time now by leave.

On motion, a Bill, "An Act To Amend The Annual Vacations With Pay Act, 1969," read a third time, ordered passed and title be as on the Order Paper.

On motion a Bill, " An Act To Authorize The Lieutenant-Governor in Council To Enter Into An Agreement With Churchill Falls (Labrador) Corporation Limited Further To Amend The Lease Executed And Delivered In Pursuance Of The Churchill Falls (Labrador) Corporation Limited (Lease) Act, 1961, As Amended, And To Make Statutory Provisions Relating To The Lease," read a third time,

ordered passed and title be as on the Order Paper.

On motion a Bill, "An Act Further To Amend The British Newfoundland Exploration Limited (Petroleum And Natural Gas) Act, 1963," read a third time ordered passed and title be as on the Order Paper.

On motion a Bill, "An Act Further To Amend The Government-British Newfoundland Exploration Limited (Authorization Of Agreement) Act, 1957, And The Agreement Made In Pursuance Of That Act," read a third time ordered passed and title be as on the Order Paper.

On motion, a Bill, "An Act To Authorize The Lieutenant-Governor In Council To Enter Into An Agreement With British Newfoundland Corporation Limited To Amend The Lease Executed And Delivered In Pursuance Of The British Newfoundland Corporation Limited (Lower Churchill River Lease), Act, 1966-67, And To Make Statutory Provisions Relating To The Lease," read a third time ordered passed and title be as on the Order Paper.

On motion a Bill, "An Act Further To Amend The Statutory Mining And Shipping Agreement Executed Pursuant To The Government -The Flintkote Company- Atlantic Gypsum, Limited (Authorization Of Agreement) Act, 1960," read a third time ordered passed and title be as on the Order Paper.

On motion a Bill, "An Act To Ratify, Confirm And Adopt An Agreement Made Between The Government And Radex Minerals Limited, And To Make Certain Provisions Relating To That Agreement," read a third time, ordered passed and title be as on the Order Paper.

MR.CURTIS: Mr. Speaker, I would ask leave to introduce a Bill, "An Act Respecting The Granting Of Certain Crown Lands In Labrador To Canadian Javelin Limited For the Construction Of a Pipeline."

On motion Bill read a first time, ordered read a second time now, by leave.

Motion, Second Reading of a Bill, "An Act Respecting the Granting of Certain Crown Lands in Labrador to Canadian Javelin Limited For the Construction of a Pipeline:

MR CURTIS: Mr. Speaker, the position is that the company is about, we hope, to activate Julienne Mines, and in order to get the minerals out of Labrador they need a pipeline.

The object of this Bill is to authorize the Government to grant the necessary land for the pipeline.

MR WELLS: Mr. Speaker, before we conclude the second reading - we just had this handed to us. Quite frankly, I have not had any time to go over it. There is just one thing that catches my eye. "Subject to subsection (2) the Government will grant to Javelin....." That does not sound reasonable. That sounds more like an agreement between Javelin and the Government. I mean; the Government may, upon certain terms and conditions and if it is appropriate and if Javelin shows that it is necessary and right. It should be granted to Javelin on condition that the mine is actually developed and it should only be a right-of-way and not any real interest in land or forest, on the land or any other minerals in it.

I mean, if this is what you are putting forward: that the purpose of this is to give them a right-of-way to convey iron to a port. If it means the development of a mine, I have no objection to it. But when I look at this and see the Government will grant - "will grant" - you know that is wrong and it makes me suspicious. ".....upon reasonable terms and conditionsby lease or licensesuch Crown Lands are not irrevocably granted.... etc. I would like the Minister to assure the House, absolutely, that the sole purpose of this is to allow Javelin to build a pipeline for the purpose of developing Julienne Lake or Julienne Iron Mine and, if the iron mine is not developed within a certain period and this is not being used, the license for the right-of-way is

automatically revoked. We do not want this outstanding but that it is granted on those conditions.

MR CURTIS: There is a time limit, ten years. They have to start within five years and finish in ten.

MR WELLS: What is the arbitration for?

MR SPEAKER: If the Minister speaks he will close the debate.

MR CROSBIE: Mr. Speaker, the purpose of this Bill, as the Minister explained, is to make possible, presumably, the development of the Julienne Lake Iron Ore deposits which are located not far from Wabush, I understand. They are not very far from Wabush. The possibility is that this iron ore development may now commence. The iron ore is to be conveyed through a pipeline, presumably, to Seven Islands, Quebec, or to Point Noire.

The iron ore would be taken out through this pipeline, to Seven Islands, and then shipped from Seven Islands.

I wonder, when the Minister concludes the debate, could he tell us something about or could he give us some more information on this possible development? Is it likely to be going ahead this year? What will the results be for Newfoundland, if it does? How much longer?

I do not remember seeing the old Julienne Lake Agreement but I think the mining lease was given November 14, 1960. How much longer has it got to run? What would the Newfoundland Government be receiving if the mining of iron commenced at Julienne Lake? How much a ton do we get, does the Newfoundland Government get? If the Minister has that information it would be interesting.

Otherwise, certainly there is no objection to this, Mr. Speaker, if the pipeline is needed to bring out the iron ore. As a matter of fact, I would think that this would greatly assist in the provision of a road, from Wabush to Seven Islands, because if this land had to be cleared and everything else, for a pipeline, it would be quite natural to have a road going right along the pipeline. This is probably the means of

providing the people of Wabush and Labrador City, if this goes ahead, with a road from Labrador City and Wabush out to Seven Islands and Point Noire, so it would be a tremendous thing for the people of Labrador, if this goes through.

MR CURTIS: Mr. Speaker, I am sorry I cannot just say when we gave the title of that land to Julienne. I was of the impression that it was in the 1953 Rothschild Agreement; but that would not have given it to Javelin. So it must have been one of the NALCO Agreements, It is certainly so long ago back that I cannot remember just when it happened.

Now the position is this: The reason this Bill is so late coming in is this: We understood that there was no need of an legislation. The Government can grant a right-of-way but, if the total area of the right-of-way is over fifty acres, or some such area as that, we have to have legislative authority to grant it. The reason for the

MR. CURTIS: Legislative Authority in this case is because it is a long line, it is 300 yards wide, and it when totalled up will cover quite an area and for that reason we thought it advisable to have the legislation.

Now I am not at liberty, to say here just what is in prospect. I think, and it was presumed that it would have had happened some time ago, that there would be a joint announcement by the Premier of Newfoundland and the Prime Minister of Quebec concerning this scheme. But until that joint announcement is made, I would not like to antagonize any of the parties by just suggesting what it might be. But the idea is to have this ore concentrated into dust form and have it blown through this pipe-line. This has been done before, It is quite an ingenious scheme. The companies behind it are large, but I am afraid it would not be in the interest of the Opposition to give too much information until the necessary rights-of-way are covered in other areas.

On Motion a Bill, "An Act Respecting The Granting Of Certain Crown Lands To Canadian Javelin Limited For The Construction Of A Pipeline," read a second time, ordered referred to a Committee of the Whole House presently; by leave.

Motion, second reading of a Bill, "An Act Respecting The Consolidation And Revision Of The Statutes Of Newfoundland." (No. 87).

MR. CURTIS: Mr. Speaker, I move second reading of this Bill.

MR. HICKMAN: Mr. Chairman, If I could make one comment on that Bill and I alerted the hon. the Minister of Justice on it, I believe to avoid lengthy delays in consolidation. The last consolidation was in 1952, and the previous one, I think, was in the 1920's anyway. And this makes it a pretty difficult task. The fact is that the Consolidation Committee has been working now for nearly three years, since 1967. Well it is here anyway we can see - yes,

MR. HICKMAN: It was in 1967, the Order-in-Council was passed in 1967. And, I believe, to avoid this lengthy period between consolidations that there should be a provision in the Act providing that the Lieutenant-Governor in Council shall within seven years appoint a new committee to complete the work within another three years, which would mean a consolidation every ten years.

MR. CURTIS: Inaudible.

MR. HICKMAN: All right. Thank you!

On Motion a Bill, "An Act Respecting The Consolidation And Revision Of The Statutes of Newfoundland," read a second time, ordered referred to a Committee of the Whole House now presently, by leave.

Motion, second reading of a Bill, "An Act To Amend The Waters Protection Act, 1964." (Bill No. 86)

MR. CALLAHAN: Mr. Speaker, this Bill is introduced by me in behalf of my colleague, the Minister of Health.

On motion a Bill, "An Act To Amend The Waters Protection Act, 1964," read a second time, ordered referred to a Committee of the Whole House presently, by leave.

Motion, second reading of a Bill, "An Act To Control And Regulate The Distribution And Use Of Pesticides And Herbicides," (Bill No. 85)

MR. CALLAHAN: Mr. Speaker, the title speaks very well for the Bill. But there are a number of questions that have arisen and there are a number of suggestions for amendments in the Bill which I will be very happy to introduce in Committee. And I think other than those particular objections that have been raised there is general agreement on it. It would provide simply for use, control, regulation, licensing, and all other matters to do with the use of pesticides anywhere in the Province. And I move second reading.

MR. CROSBIE: Mr. Speaker, we agree with the principle of the Bill. Certainly the use of pesticides and herbicides has to be controlled. And the minister has some amendments which he has shown us, with which we agree with. So I would

MR. CROSBIE: support second reading of the Bill.

MR. SPEAKER: Is the House ready for the question? Agreed.

On motion a Bill, "An Act To Control And Regulate The Distribution And Use Of Pesticides And Herbicides," read a second time, ordered referred to a Committee of the Whole House presently; by leave.

Motion, second reading of a Bill, "An Act To Amend The Provincial Parks Act." (Bill No. 72).

MR. CALLAHAN: Mr. Speaker, this is a very simple amendment which would extend the powers of the control over particularly aircraft, power boats and other vehicles so as to increase the safety factor in Provincial Parks. It is a simple amendment which simply broadens the existing legislation. I move second reading.

On motion a Bill, "An Act To Amend The Provincial Parks Act," read a second time, ordered referred to a Committee of the Whole House presently; by leave.

Motion, second reading of a Bill, "An Act To Amend And Consolidate The Law Respecting The Disposal of Waste Materials." (Bill No. 71)

MR. CALLAHAN: Mr. Speaker, this Bill would broaden the operation of the existing Act. It consolidates the existing Act and provides for an alternative to the setting up of local committees. As the matter now stands, outside incorporated areas local committees may be set up to be responsible for waste material disposals sites. What this Bill does is to provide an alternative to that where committees are unable to be set up or are not functioning, so as a franchise can be granted to an individual, say in a particular area, to collect waste material, to collect garbage, charge an established fee for that service. And in relation to that the Bill would prevent and forbid absolutely the dumping of waste material anywhere else but in a site designated to which the franchise carrier would transport the material.

I think that is the main new provision, otherwise the Bill consolidates the existing Act. And I move second reading.

On motion a Bill, "An Act To Amend And Consolidate The Law Respecting The Disposal Of Waste Materials," read a second time, ordered referred to a Committee of the Whole presently; by leave.

COMMITTEE OF THE WHOLE

A Bill, "An Act Respecting The Consolidation And Revision Of The Statutes of Newfoundland."

On motion Clauses 1 to 7 carried.

MR. CHAIRMAN: In Clause 8 a word is inserted, the letter "C".

On motion amendment carried.

On motion Clauses 9 to 12 carried.

MR. CHAIRMAN: Clause 13 of section(a) should be "repeal" instead of "appeal".

On motion amendment carried.

On motion Clause 14 to 21 carried.

MR. HICKMAN: Mr. Chairman, I move an amendment by adding, as Clause 22 the following: "The Lieutenant-Governor in Council shall within seven years from the day declared by proclamation under Section (10) appoint a committee consisting of three members together with a secretary to such committee to consolidate the statutes of Newfoundland, which committee shall complete its work and consolidation within three years from the date of its appointment. That makes a consolidation every ten years.

On motion amendment carried.

Motion, that the committee report having passed the Bill with some amendments, carried.

"An Act To Amend The Waters Protection Act, 1964."

On motion Clauses 1 and 2 carried.

Motion that the committee report having passed the Bill without amendment, carried.

"An Act Respecting The Granting Of Certain Crown Lands In Labrador To Canadian Javelin Limited For The Construction Of A Pipeline."

On motion Clauses 1 to 14 carried.

Motion that the committee report having passed the Bill without amendments, carried.

"An Act To Amend And Consolidate The Law Respecting The Disposal Of Waste Materials."

On motion Clauses 1 to 11 carried.

MR. CHAIRMAN: Shall Clause 12 - Subsection (3) be amended - in the last line instead of "his", "their", and instead of "vehicle", "vehicles".

On motion the amendment carried.

On motion Clauses 13 to 18 carried.

Motion that the committee report having passed the Bill with some amendments, carried.

"An Act To Amend The Provincial Parks Act."

On motion Clauses 1 and 2 carried.

Motion that the committee report having passed the Bill without amendments, carried.

"An Act To Control And Regulate The Distribution And Use Of Pesticides And Herbicides."

On motion Clauses 1 to 4 carried.

MR. CROSBIE: Mr. Chairman, Clause (5) should have an amendment, I think, the minister has got one there.

MR. CALLAHAN: The amendment is very simple, Mr. Chairman. And my colleague the Minister of Social Services and Rehabilitation will move it. And it simply is to delete certain words in the first line. So that then Clause (5) will read, "a person shall not provide a service." In other words the words "operate a business or" are deleted. Those four words my colleague so moves.

On motion Clause (5) as amended carried.

On motion Clauses 6 to 10 carried.

MR. NEARY: Mr. Chairman, Clause (11). Delete, "the minister is of the opinion that" from the first line and adds after the second line, "shown upon inspection and analysis to be," . Insert "where any crop, food, feed, animal, plant, water, produce or product or other matter is shown upon inspection and analysis

MR. NEARY: to be contaminated by pesticides or herbicides, the minister may be order etc.' I move that amendment, Mr. Chairman.

On motion amendment carried.

On motion Clause 12 carried.

MR. NEARY: Mr. Chairman, I would like to move an amendment to Clause 13, Section(3), I think it is. "Any person who feels aggrieved by an action taken under (2) may within thirty days appeal in writing to any magistrate against such suspension, cancellation or refusal." This is a new Clause, Mr. Chairman, that has to be inserted. I think the Clerk has a copy of it. I move that amendment.

On motion amendment carried.

MR. NEARY: Mr. Chairman, also Clause (13-2) there is an amendment, "without limitation etc... where the holder thereof or applicant therefore etc." It deletes "he is of the opinion that." I move the amendment.

On motion amendment carried.

On motion Clause 14 carried.

MR. NEARY: Mr. Chairman, Clause (15) Section 1 - "For the purpose of carrying out of this Act and the regulations the minister may appoint inspectors who at any reasonable time may enter and inspect any premises or vehicle in which there is reasonable cause to believe that pesticides or herbicides are stored or carried, as the case may be." And I move that amendment, Mr. Chairman.

On motion amendment carried.

MR. CHAIRMAN: Another amendment to that section in the second line after "under" insert the word "and."

On motion amendment carried.

On motion Clauses 16 to 27 carried.

Motion that the committee report having passed the Bill with some amendments, carried.

June 18, 1970

Tape 1300,

PK-7

Motion, that the Committee rise, report progress and ask leave to sit again presently, Mr. Speaker returned to the Chair:

MR. HODDER: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and instructed me to report having passed Bill 87, 71 and 85, with some amendment and Bill 86, 93 and 72 without amendments and ask leave to sit again.

On motion report received and adopted, Bills ordered read a third time now, by leave.

On motion a Bill, "An Act To Amend The Waters Protection Act, 1964," read a third time, ordered passed and title be as on the Order Paper.

On motion a Bill, "An Act Respecting The Granting Of Certain Crown Lands In Labrador To Canadian Javelin Limited For The Construction Of A Pipeline," read a third time, ordered passed and title be as on the Order Paper.

On motion a Bill, "An Act To Amend The Provincial Parks Act," read a third time, ordered passed and title be as on the Order Paper.

On motion a Bill, "An Act Respecting The Consolidation And Revision Of The Statutes Of Newfoundland," read a third time, ordered passed and title be as on the Order Paper.

MR. SPEAKER: Order! please. Carry on.

On motion a Bill, "An Act To Amend And Consolidate The Law Respecting The Disposal Of Waste Material," read a third time, ordered passed and title be as on the Order Paper.

On motion a Bill, "An Act To Control And Regulate The Distribution And Use Of Pesticides And Herbicides," read a third time, ordered passed and title be as on the Order Paper.

Motion, second reading of a Bill, "An Act Further To Amend The Department Of Highways Act, 1966."

MR. SPEAKER: Is the House ready for the question? Carried.

On motion a Bill, "An Act Further To Amend The Department Of Highways Act, 1966," read a second time, ordered referred to a Committee of the Whole House now, by leave.

MR. SPEAKER: No. 4 has been read a second time, and the question is that it should be referred to a Committee of the Whole House now, by leave.

Motion, second reading of a Bill, "An Act Respecting Motorized Snow Vehicles And All Terrain Vehicles." (Bill No. 35)

MR. CALLAHAN: Mr. Speaker, I wish we had a little more time for this Bill because I think there are many concerns perhaps in respect to provisions in it. And I am sure some of them will be raised in Committee. I have had some discussion with some hon. members already. I have made some notes of amendments that seem proper and desirable to be made.

But essentially, I think, we have come to the point where we have to have regulations in respect of all-terrain vehicles. They are not toys, they are dangerous in the hands of those who do not know how to handle them. They are great fun and they get one out-of-doors in the winter, but they are car shattering and dangerous and damaging to natural habitats to the extent that we have had in this past winter to ban them from certain areas of the Province, being wilderness areas or areas known to be frequented by game. So there are many problems. They are a new recreation, a new sport, but there are many problems associated with them. I think the time has now come when we must do something about regulation.

May I tell the House briefly, Mr. Speaker, that we have been more than a year trying to put together some good legislation. There is very little in the way of successful precedent either in Canada or in the United States. I think, the best we have been able ^{to find} if my memory serves me correctly, is in the State of Michigan.

But in any event we have brought to the House a Bill, which I think is by no means perfect, which envisages regulations rather than a rigid Bill at this time. And I would like to suggest two things to the House; in the first instance, that we should not and shall not, if the House approves the Bill, attempt to draw regulations before the 15th. of September. Our thought had been to invite representations from the public as to what should be in the regulations, in terms of age limits, in terms of particular restrictions that

MR. CALLAHAN: are not set out in the Bill in detail. But perhaps even better than that, if the House agrees, would be a committee which could sit out of session, during the next four or five months, and make some recommendations in respect of the kind of regulations that should be brought in under this Bill or this Act, if it is approved.

I think we have well arrived at the state now, Mr. Speaker, where there has to be some regulation. We have had a number of fatalities. We have had a number of serious accidents. I think now the public interest demands that, in addition to the other problems that I have mentioned, such as the destruction of wild life habitat and other things of that nature; the public safety demands that something be done to impose some controls on those vehicles, which while very good and very useful (some people make a living from them) and very enjoyable in the form of recreation, nonetheless impose a new and very serious safety problem in various parts of the Province.

Mr. Speaker, I move second reading:

MR CROSBIE: Mr. Speaker, I think, while legislation like this is necessary, there are some changes that should be made to the legislation. Perhaps we can do a couple as it goes through committee. I suggested a bit earlier in the session that it was probably going to become necessary to declare, in the wintertime, certain parts of this Province off limits to any motorized snow vehicles. I think that can be done under the Act and the Regulations. So, with the reservation that I think a couple of changes should be made, I support the legislation.

MR SMALLWOOD: (W.R.) Mr. Speaker, when this legislation was first introduced I had a few comments to make on it. I gave the Minister some recommendations for some changes. I must admit, generally speaking, I agree with the Bill, with the necessary changes. I think it would be a good idea if the Minister had a committee to make these regulations before sometime this coming fall

I would suggest that the Minister give careful consideration as to whom he would appoint on that committee. As a matter of fact, I would like to be on it myself. I do not think there is anyone in this House more used to

June 18, 1970, Tape 1300

PK-10

these vehicles and using them than I am myself. I also suggest the Deputy Speaker be appointed in addition to any other who possibly would like to be on it. I would like to see people on that

MR. SMALLWOOD: (W.R.): Committee who used the machines themselves.

On motion, Bill, (An Act Respecting Motorized Snow Vehicles And All-Terrain Vehicles.' (No. 35), read a second time, ordered referred to a Committee of the Whole House now by leave.

On motion, the hon. the Minister of Justice to move second reading of a Bill, " An Act Further To Amend The Rural Electrification Act, 1963." (Bill no. 73).

MR. CURTIS: I move Mr. Speaker, the second reading of this Bill, because, I undertook to do it before the Premier left, but there has been a little objection to it from at least the hon. member for Humber East. I do not want to feel that I have broken faith with him, so I will therefore move the second reading of this Bill and will say, that when the Bill is in Committee I will have a clause put in saying that this Act will not come into force - This Act shall come into force on a date to be proclaimed by the Lieutenant-Governor in Council, which will give me an opportunity to discuss with him any objectionable features in the Bill. I think that would be a fair thing to do. I am very anxious not to have it said that I broke faith with my hon. friend and that is the reason I am putting the amendment in, being absolutely satisfied that we.....

MR. CROSBIE: Mr. Speaker, I think the objection is that this, as provided by section 27, the Board of Commissioners of Public Utilities would have no jurisdiction over the Boards of Trustees of power distribution districts. Now, section 27 of the Public Utilities Act only deals with the erecting of poles and so on, so the public utilities is only going to have a say as to where power distribution districts put poles. The Commissioners of the Public Utilities would not have any jurisdiction over rates charged for electricity and power distribution districts.

The hon. member for Humber East, and I also for that matter, do not see why the Public Utilities Board should not continue to have jurisdiction over power distribution districts. I understand that there are uniform rates now for electricity across the Province, whether in an urban or a rural area, and the reason for taking jurisdiction away from the Public

Utilities Board is certainly not - nobody has justified it in the House. That is the objection to it. I will not be able to support second reading.

MR MURPHY: Mr. Speaker, I think generally the hon. member for Corner Brook East has discussed it. As the hon. member has mentioned, we have uniform rates.

With all the talk of electricity and cheaper electricity in this Province, a few months back, in St John's, Corner Brook and some of the other areas, the rates are increased twenty per cent, to subsidize other parts of the Province. That is fair enough but, with this Act now, this amendment, conceivably, at any certain time of the year, when certain events are happening, someone could go out and say; look, we could give you a rate and you a rate", and again we would have this nonuniformity of rates.

I do not see any reason why it is taken from the Public Utilities Board, who have the power to establish uniform rates. For this reason I feel that there is no need for the change in this Act.

MR HICKMAN: Mr. Speaker, if I may add a word to that: The implementation of uniform rates for electricity, in Newfoundland, I believe has met with a great deal of approval and satisfaction throughout the Province. Certainly it has met with a lot of approval in smaller centres. There is sometimes an allegation that the larger centres are paying for the smaller ones. So Be It! But it would be most unfortunate if anything happened to upset this policy that has been laid down by the Public Utilities Board.

One thing we have done, I suggest, through the Public Utilities Board, is that by and large, not completely, we have kept power rates out of the realm of politics. Personally, I am concerned that this amendment, if it is passed, might do away with the protection that the Public Utilities Board affords now and the Act affords. I cannot, for the life of me, see why it is being asked for. This is the whole puzzle to this piece of legislation.

MR CURTIS: The question is; am I going to put in the clause?

MR HICKMAN: It still can be brought in. Let it die.

On motion Bill read a Second Time, ordered referred to a Committee of the Whole House now, by leave.

MR. CURTIS: Mr. Speaker, I am arranging for His Honour the Lieutenant-Governor to be here. He will be here before 7:00 P.M. or at 7:00 P.M. at the very latest. If hon. members will be good enough to wait, we can present the Address in Reply while he is here and get the Bills assented to. I hope as many members as possible will stay, because we are going to adjourn until next February, sometime.

MR JONES: Mr. Speaker, I am making arrangements for the cow to calf in the Clerk's Office, immediately after the departure of His Honour.

COMMITTEE OF THE WHOLE:

A Bill, "An Act Further to Amend the Department of Highways Act, 1966":

Motion, that the Committee report having passed the Bill without amendments, carried:

A Bill, "An Act Respecting Motorized Snow Vehicles and All-Terrain Vehicles":

MR JONES: MR. Chairman, Clause 4, sub-clause (3), that all the words after the word "department" be deleted, and a full stop inserted after the word "department".

On motion Clause 4, as amended, carried.

MR. JONES: Mr. Chairman, Clause 5 to be amended to read as follows: "Where the ownership of a registered vehicle passes from the registered owner to another person, whether by act of the owner or by operation of law, the change of ownership shall be reported to the Registrar, in accordance with the Regulations.

On motion, Clause 5, as amended, carried:

MR JONES: Clause 7, sub-clause (5), to be amended by inserting the word "knowingly" between the words "not" and "use". "A person shall not knowingly use or operate a vehicle or other thing to which a plate is attached contrary to sub-section (4).

On motion clause, as amended, carried:

MR SMALLWOOD: (W.R.) Mr. Chairman, back in Section 4, subsection (8) . . .

MR CHAIRMAN: Shall the hon. member revert to Section 4? Carried:

MR SMALLWOOD: It presently reads that a person shall not drive a vehicle in respect of which there is no subsisting registration under this Act. I would

suggest that the words - after the words.....

MR. JONES: Clause 8, a person shall not drive a vehicle in respect of which he knows there is no subsisting registration. Page 6, sub-clause 8, of 4. 4 - 8 of page 6. A person shall not drive a vehicle in respect of which he knows there is no subsisting registration under the Act.

On motion, amendment carried.

On motion, clause as amended carried.

On motion, clause 8, carried.

MR. CROSBIE: Clause 9, sub-section 3, this has to do with drive-yourself. Upon receipt of an application for drive-yourself rental certificate and upon payment of the fee prescribed by the regulation, the minister may issue or cause to be issued a certificate, if he is satisfied that it is covered by insurance. I think that the word "may" should be "shall".

If the minister has an application and the fee is paid, and he is satisfied that there is insurance then I do not think that it should be discretionary, the minister should then issue the license. I move that the word "may" be changed to shall in the third line.

On motion, amendment carried.

On motion clause as amended, carried.

On motion, clause 10 carried.

MR. JONES: Clause 11. Mr. Chairman, by inserting the words " a person shall not knowingly use or permit the use of a defaced, mutilated or altered number plate on a vehicle." This is an amendment to sub-clause 2, subclause (b), and while I am on my feet, the same thing, "shall knowingly use or permit to use a number plate."

On motion amendment carried.

On motion clause as amended, carried.

On motion, clauses 12 and 13 carried.

MR. JONES: Clause 14, Mr. Chairman, paragraph 2, by inserting the word "knowingly" between "not" and "permit". "The owner of a vehicle shall not knowingly permit any person."

On motion amendment carried.

On motion clause as amended, carried.

On motion clauses 15, 16, 17, and 18 carried.

MR. SMALLWOOD (W.R.) Mr. Chairman, you are going a bit too fast. Now clause 19 - now back in 15, the penalty is \$1,000. or six months and in 18, sub-section 3, it is \$500. or six months. In 18 - (4), it is \$500. or six months. Now, in 19, this sets out offences, it does not set out any penalties, but you come to the general penalty and the general penalty is \$200. or three months. Now these offences created here by section 19, are, in my opinion, more important than the ones created in 15 and 18. But, the ones in 15 and 18, one is \$1000. and six months, and there are two more for \$500. and six months, but much more important offences could be committed under 19, and the penalty is \$200. or three months. It just does not make sense.

MR. JONES: (Inaudible)

MR. SMALLWOOD (W.R.): Well Mr. Chairman, failing to remain at the scene of an accident. There is no penalty for that specifically, so therefore you go to the general penalty which says \$200. or three months. What is more important, these other - it just does not make sense.

MR. JONES: Inaudible.

Clause 15, amended and carried.

Clauses 20, 21, 22, 23, carried.

MR. JONES: Clause 24, Mr. Chairman, one small amendment. Paragraph (h) of sub-section 1, of clause 24, by inserting the word "public" between "in" and "places." To read, "prohibiting the driving of vehicles in public places not being highways." Places would be Crown Land.

On motion, amendment carried.

On motion, clause as amended carried.

On motion clause 26, carried.

MR. CROSBIE: Clause 26, is rather odd really. "This Act or any part thereof shall come into force (a) in the entire Province or (b) in any area." Why would the Act only apply to some part of the Province and not the whole Province?

MR. CALLAHAN: The reason the discretion is put there, very simply, Mr. Chairman, is that some concern was expressed by my hon. friend, the hon. the minister

of Labrador Affairs, and I think the hon. the minister for Labrador South, that in Labrador, it is not a case of sport it is a case of a livelihood and perhaps we should be able to look at each area separately or something of that nature. So, we put it in there to provide some discretion.

On motion, clause 26 carried.

Motion that the Committee report having passed Bill no. 35, with some amendment, carried.

A Bill, "An Act Further To Amend The Rural Electrification Act, 1963." (no.73).

Clauses 1 and 2, carried.

MR. JONES: Mr. Chairman, I wish to move the following amendment by inserting as a new clause 3, the following; "This Act shall come into force on a day to be proclaimed by the Lieutenant Governor in Council."

On motion, amendment carried.

Motion, that the Committee report having passed Bill no 73, with some amendment, report progress and ask leave to sit again, Mr. Speaker returned to the Chair:

MR. CHAIRMAN: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have instructed me to report having passed Bill 27 without amendment, and Bills 35 and 73 with some amendment, and ask leave to sit again.

On motion, report of Committee concurred in.

On motion, Bill no. 27 ordered read a third time by leave.

On motion Bill no. 27, read a third time and ordered that its title be : as on the Order Paper.

On motion, Bill no. 35 as amended be read a third time.

On motion, Bill no. 35 read a third time and ordered that its title be the same as on the Order Paper.

On motion, Bill no. 73, ordered read a third time,

On motion, Bill read a third time, ordered that its title be the same as on the Order Paper.

MR. CURTIS: Mr. Speaker, I want to thank hon. members for their cooperation. His Honour the Lieutenant-Governor is due in about ten minutes and I think the Clerk will need all that time to list out the legislation that we have

done today. Just so that there will be no misunderstanding I would like to be assured by everybody present that we have cleaned up the Order Paper, all with the exception of Order 6, that is the Undeveloped Mineral Areas Act.

Everything else on the Order Paper in the way of decent business has been attended to. When I make the reference, I am referring to the motions that are made by the hon. members that have not come before the House. I mean legitimate business.

I move Mr. Speaker that, when this House adjourns today, it stands adjourned until Wednesday, February 17, 1971 at 3:00 p.m. provided always that if it appears to the satisfaction of Mr. Speaker, or in the case of his absence from the Province the Chairman of Committees, after consultation with Her Majesty's Government, that the public interest requires that the House should meet at an earlier time than the adjournment, Mr. Speaker, or in his absence the Chairman of Committees, may give notice that he is so satisfied, and there upon the House shall meet at the time stated by such notice and shall transact its business as if it had been duly adjourned to that time.

I would move that:

MR. MURPHY: If I may Mr. Speaker, at this time, if I am permitted to express a few words. The length of this session we know has been a very long session. I think we have had some pretty trying moments in this House, but I would like to express feelings of goodwill, if you like, towards all, and I trust that they will enjoy the summer vacation. There may be something intervene between now and February 17th., that we do not know of now, if so we hope it will be a clean-fought battle.

I would like Sir, to express my thanks personally to my colleagues here and also to express good wishes towards the members of the Liberal Reform Group and to the member for Labrador. Also Sir, very cordially and very sincerely, to thank all officials of this House, I know it has been a very, very trying session for them, but to say that I think all of us in our wisdom did the best we could with what faculties we had to the business with. If there were any unfortunate incidents towards any members of the

House, any of the staff, I would like to say possibly that we did it with the feeling that we were doing it perhaps properly, without having due regard to the people we represent.

Again, I would like to say, Sir, very sincerely, my very sincere thanks to my colleagues, best wishes to the Reformed Liberals and Mr. Burgess, and best regards to all on the other side of the House, and I trust that they will have a very, very enjoyable summer.

MR.NEARY: While we are waiting for His Honour to arrive I would like to pay our annual tribute to the members of the working press, the ladies and gentlemen who probably worked harder during this session than any member of this Hon. House. I think they have done a fine job. The reporting I think has been outstanding. Not always probably as objective as the individual members would like to see it, but I think on the whole that they have done a fine job of reporting this session of the House and getting the information and the proceedings across to the Newfoundland people.

MR.CROSBIE: Mr. Speaker, this may be the last time that this House will meet. It may be prorogued before next February. We all hope this will be the case. When next, there will be half of them from the other side over here and we will all be over there. I do not know under what guise, but in any event I could only say this, if we are all back here again next year, on the same sides, that having experience both sides of the House I can assure all hon. members that it much more interesting, much more entertaining and much more satisfying to be on this side of the House and be able to say whatever you like, whenever you like to say it. In the meantime Mr. Speaker, I would like to wish everybody well. I would like to thank the Leader of the Opposition for his kind remarks. I would like to thank the Acting-Premier for his courtesies that he is able to extend to us when other people are not in the House, and we hope that everybody will, we hope that those who retire before the next election, will have a well earned and healthy retirement and the others we will see on the hustings.

MR.HICKMAN: Mr. Speaker, we have not received Hansard for a while. They have been very busy in the office, but will the rest of the issues of the remaining issues of Hansard be mailed to hon. members.

MR.CURTIS: I will see they get them.

MR.SPEAKER: Before we recess I think that it would be advisable, it would be appropriate,if I did say that the good wishes extended to the staff of the House,on their behalf we thank all hon. members. This has been a taxing time. The staff of the House, we are understaffed. They have worked hard, they have put in a lot of overtime and they have done an excellent job.

On their behalf I would like to express my appreciation to the hon, members who express their thanks and appreciation for the way in which the staff has carried out its duties in this present session.

And I might also add that there are predictions and so on about whether we meet here as we are presently constituted or not, But I would like to say this; in spite of all reports to the contrary and the way in which this House was operated during the year, I think that by and large the members of this House have cooperated very well with the Chair. There has not been any incident, I think, that you could not find a precedent for in any other House in the Commonwealth. There has been a fair degree of cooperation between the members and the Chair, for which I am grateful. I would like at this particular time to express to hon. members my thanks for the cooperation and the understanding which they have given me in trying to carry out what is sometimes a difficult task, but which I tried to do, ^{to} the best of my ability. I want, as I say again, to thank hon. members for the cooperation and the tolerance and their assistance in performing the function for which I was elected.

MR.NOLAN: Mr. Speaker I wonder if I could have the permission of the House to table a report of the Queen's Printer, because I would not want the House to close and ruin the Summer of the hon. member for St. John's West, without getting this on the table of the House. With your permission I would like to table it Sir.

The House recessed for five minutes.

His Honour the Lieutenant-Governor arrived.

MR.SPEAKER: May it please Your Honour,

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

(sgd) C.M.Lane.
J. McGrath.
H. Collins.

HIS HONOUR THE LIEUTENANT GOVERNOR: Mr. Speaker, and gentlemen of the
Hon. House of Assembly I thank you for the Address in Reply to the Speech
with which your present session was opened.

MR.SPEAKER: May it please Your Honour it is my agreeable duty on behalf of
Her Majesty's dutiful and loyal subjects the faithful commons in Newfoundland
to present to Your Honour bills for the appropriation of supply granted in the
present session.

A Bill, "An Act For Granting To Her Majesty Certain Sums of Money For
Defraying Certain Expenses Of The Public Service For The
Financial Year Ending the Thirty First Day of March one
Thousand Nine Hundred and Seventy And For Other Purposes
Relating To The Public Service."

A Bill, "An Act For Granting To Her Majesty Certain Sums of Money For
Defraying Certain Expenses Of the Public Service For The
Financial Year Ending the Thirty First Day of March One
Thousand Nine Hundred and Seventy One And For Other Purposes
Relating To The Public Service."

HIS HONOUR THE LIEUTENANT GOVERNOR: In Her Majesty's Name, I thank Her Loyal
Subjects, I accept their benevolence and assent to these Bills.

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

A Bill, "An Act To Amend The Teachers Loan Act, 1957."

A Bill, "An Act Further To Amend The Child Welfare Act, 1964."

A Bill, "An Act Further To Amend The Highway Traffic Act, 1962."

A Bill, "An Act To Provide For The Appointment Of A Parliamentary
Commissioner To Investigate Administrative Decisions And
Acts Of Officials Of The Government Of The Province And Its
Agencies And To Define The Parliamentary Commissioner's
Powers, Duties And Functions."

- A Bill, "An Act Further To Amend The Dog Act."
- A Bill, "An Act Further To Amend The Forest Fires Act."
- A Bill, "An Act Further To Amend The Department Of Public Welfare Act, 1965."
- A Bill, "An Act Further To Amend The Wild Life Act."
- A Bill, "An Act Respecting The Liens Of Mechanics And Others."
- A Bill, "An Act Further To Amend The Public Libraries Act."
- A Bill, "An Act Further To Amend The Memorial University Act."
- A Bill, "An Act To Consolidate And Amend The Law Relating To The Raising Of Local Taxes For Schools."
- A Bill, "An Act Further To Amend The Trustee Act."
- A Bill, "An Act Further To Amend The Education (Teachers' Pensions) Act, 1962."
- A Bill, "An Act To Amend The Education (Teacher Training) Act, 1968."
- A Bill, "An Act Further To Amend The Department Of Education Act, 1968."
- A Bill, "An Act Further To Amend The Securities Act."
- A Bill, "An Act To Amend The Public Printing And Stationery Act."
- A Bill, "An Act Further To Amend The Department Of Highways Act, 1966."
- A Bill, "An Act Further To Amend The Department Of Supply Act, 1966-67."
- A Bill, "An Act Further To Amend The Summary Jurisdiction Act."
- A Bill, "An Act To Repeal The Trade Union (Emergency Provisions) Act, 1959."
- A Bill, "An Act To Amend The Youth Administration Act, 1968."
- A Bill, "An Act Further To Amend The Companies Act."
- A Bill, "An Act Respecting A Pension Plan For The Constabulary Force Of Newfoundland, The Officers And Men Of The St. John's Fire Department, The Officers And Men Employed At That Prison Commonly Known As Her Majesty's Penitentiary And The Motor Engineer And Motor Mechanics In The Joint Services Garage."
- A Bill, "An Act Respecting Motorized Snow Vehicles And All-Terrain Vehicles."
- A Bill, "An Act Further To Amend The Alcoholic Liquors Act."
- A Bill, "An Act Further To Amend The School Attendance Act 1962."
- A Bill, "An Act Further To Amend The Newfoundland Teachers Association Act, 1957."

- A Bill, "An Act To Amend The Schools Act, 1969."
- A Bill, "An Act Respecting The Administration Of Certain Special Services By The Department Of Social Services And Rehabilitation To The Residents of Northern Labrador."
- A Bill, "An Act To Amend The Motor Carrier Act, 1961. "
- A Bill, "An Act Further To Amend The Local Government Act, 1966."
- A Bill, "An Act Further To Amend The Community Councils Act, 1962."
- A Bill, "An Act Further To Amend The Minimum Wage Act"
- A Bill, "An Act Further To Amend The Crown Lands (Mines and Quarries) Act, 1961."
- A Bill, "An Act Respecting The Organization, Operation, Functions, Powers, Duties, Rights and Privileges Of The Constabulary Force of Newfoundland."
- A Bill, "An Act To Amend The Annual Vacations With Pay Act, 1969."
- A Bill, "An Act To Amend The Apprenticeship Act, 1962."
- A Bill, "An Act Further To Amend The Local Authority Guarantee Act, 1957."
- A Bill, "An Act To Amend The Taxation Agreement Act, 1957."
- A Bill, "An Act To Amend The Telegraph Tax Act."
- A Bill, "An Act Further To Amend The Pensions (Premiums) Act, 1966-67."
- A Bill, "An Act Further To Amend The Civil Service Act."
- A Bill, "An Act To Incorporate The Moravian Church In Newfoundland And Labrador."
- A Bill, "An Act Further To Amend The Revenue And Audit Act."
- A Bill, "An Act To Validate And Provide For the Enforcement Of A Certain Agreement Between The Heads Of Certain Denominations Respecting The Apportionment And Payment Of Certain Moneys Allocated By The Province For Certain Educational Purposes In Respect To The Fiscal Year 1962-63 And To Hold Her Majesty Bound By Such Agreement."
- A Bill, "An Act Further To Amend The Technical And Vocational Training Act, 1963."
- A Bill, "An Act To Amend The Automobile Insurance Act, 1968."
- A Bill, "An Act Further To Amend The Direct Sellers Act, 1966."
- A Bill, "An Act To Amend The City of St. John's (Loan) Act, 1969."
- A Bill, "An Act To Provide For The Ownership Of Individual Units In Buildings."

- A Bill, "An Act To Authorize The Lieutenant-Governor In Council To Enter Into An Agreement With Churchill Falls (Labrador) Corporation Limited Further To Amend The Lease Executed And Delivered In Pursuance Of The Churchill Falls (Labrador) Corporation Limited (Lease) Act, 1961, As Amended, And To Make Statutory Provisions Relating To The Lease."
- A Bill, "An Act Further To Amend The Government-British Newfoundland Exploration Limited (Authorization Of Agreement) Act, 1957, An And The Agreement Made In Pursuance Of That Act."
- A Bill, "An Act Further To Amend The Statutory Mining And Shipping Agreement Executed Pursuant To The Government - The Flintkote Company -Atlantic Gypsum, Limited (Authorization Of Agreement) Act, 1960."
- A Bill, "An Act Further To Amend The British Newfoundland Exploration Limited (Petroleum And Natural Gas) Act, 1963."
- A Bill, "An Act To Amend The Chairman Of The Board of Commissioners Of Public Utilities (Pension) Act, 1968."
- A Bill, "An Act To Amend And Consolidate The Law Respecting The Disposal Of Waste Material."
- A Bill, "An Act Further To Amend The Rural Electrification Act, 1963."
- A Bill, "An Act To Amend The Provincial Parks Act."
- A Bill, "An Act Further To Amend The Income Tax Act, 1961."
- A Bill, "An Act To Repeal The Salt Codfish Marketing (Control) Act, 1964."
- A Bill, "An Act To Repeal The Salt Codfish Marketing Board Act, 1964."
- A Bill, "An Act To Authorize The Lieutenant Governor in Council To Enter Into An Agreement With British Newfoundland Corporation Limited and N.M.Rothschild & Sons, Supplemental To The Agreement Dated The Twenty-First Day Of May, 1953, As Heretofore Amended."
- A Bill, "An Act To Make Consistent The Provisions In Various Acts Respecting The Insertions Of Public Notices In Newspapers."
- A Bill, "An Act Further To Amend The Loan and Guarantee Act, 1957."
- A Bill, "An Act Further To Amend The Avalon Telephone Company Act, 1943."
- A Bill, "An Act Further To Amend The Public Utilities Act, 1964."
- A Bill, "An Act Further To Amend The Newfoundland and Labrador Power Commission Act, 1965."
- A Bill, "An Act To Provide For The Abatement And Control Of Pollution Of Air, Soil And Water And For The Conservation And Use Of Water As A Natural Resource Of The Province; To Provide An Aid Towards The Centralization And Coordination Of The Multiforum Controls Over The Use Of Water Generally By The Creation Of An Authority As An Arm Of Government."

- A Bill, "An Act To Control And Regulate The Distribution And Use Of Pesticides And Herbicides."
- A Bill, "An Act To Amend The Waters Protection Act, 1964."
- A Bill, "An Act Respecting The Consolidation And Revision Of The Statutes Of Newfoundland."
- A Bill, "An Act Respecting Collective Bargaining Between The Government Of The Province And Its Employees And Certain Other Employees."
- A Bill, "An Act Further To Amend The Members Of The House Of Assembly Contributory Pension Plan Act, 1962."
- A Bill, "An Act To Ratify, Confirm And Adopt An Agreement Made Between The Government And Radex Minerals Limited, And To Make Certain Provisions Relating To That Agreement."
- A Bill, "An Act To Authorize The Lieutenant Governor In Council To Enter Into An Agreement With British Newfoundland Corporation Limited To Amend The Lease Executed And Delivered In Pursuance Of The British Newfoundland Corporation Limited (Lower Churchill River Lease) Act, 1966-67 And To Make Statutory Provisions Relating To The Lease."
- A Bill, "An Act Respecting The Granting Of Certain Crown Lands In Labrador To Canadian Javelin Limited For The Construction Of A Pipeline."

HIS HONOUR THE LIEUTENANT GOVERNOR: In Her Majesty's Name I assent to these Bills.

His Honour the Lieutenant Governor left the Chamber.

MR. STARKES: Mr. Speaker, I beg leave to table Highway Traffic Regulations made under the Highway Traffic Act, 1962.

MR. CURTIS: I would move Mr. Speaker, the remaining Orders of the Day do stand deferred and that the House do now adjourn.

On motion all remaining Orders of the Day do stand deferred.

On motion the House at its rising do stand adjourned until Wednesday, Feb. 17, 1971.