PROVINCE OF NEWFOUNDLAND

THIRTY-SIXTH GENERAL ASSEMBLY
OF
NEWFOUNDLAND

Volume 2 | 2nd Session | Number 5

VERBATIM REPORT

Thursday, February 15, 1973

SPEAKER: THE HONOURABLE JAMES M. RUSSELL

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order please!

PRESENTING REPORTS OF STANDING AND SELECT COMMITTEES

MR. J. CARTER: I beg leave to table a couple of documents or a couple of photographs, perhaps a word only of explantion is necessary. There happened to be a diagram of the weather in and around St. John's. It is taken from a diagram done by Mr. Frank Rowe of the Weather Office here at Torbay Airport. And since I have heard rumors that I feel are pretty, are more than rumors,that there may be some attempt made to move the city dump. I wish to table these for the information of my colleagues and the press, if they are interested, to show that the prevailing winds in and around St. John's are westerly, in a generally western direction and therefore I maintain that the dump is in the best possible position and should be left where it is.

I beg leave to table these. I ask the page to take these.

HON. E. M. ROBERTS: (LEADER OF THE OPPOSITION): Mr. Speaker, I do not in any way challenge the honourable gentleman's right to table whatever he likes, My colleague tabled a large cod fish last year, if I recall it. But I wonder if Your Honour could tell me for our future guidance what is the procedure when an individual member of this House, especially one who does not hold an appointment of a minister, wishes to table a document other than in the course of his speech or in support of a motion. I mean I am generally intrigued. I am glad. I shall look at the pictures and since I do live in the east end of St. John's, with a special interest. But could Your Honour perhaps enlighten us somewhat.

MR. SPEAKER: I will take it under advisement.

MR. ROBERTS: He does not know either.

MR. SPEAKER: Any other reports of standing and select committees?

HON. J. C. CROSBIE: (MINISTER OF FINANCE): In fact the Annual Report of

Civil Service Commission has never been a best seller. This is here the fiscal year ended March 31, 1972. So there will be copies distributed to all the members. There will be another one tabled next year but that will be the last one I believe. Where are the pages?

AN HON. MEMBER: That went over big.

MR. CROSBIE: I see there is no great rush to get this document.

HON. J. ROUSSEAU (MINISTER OF REHABILITATION AND RECREATION): Mr. Speaker, I would like to table the Rules and Regulations of the Hoyles Home Administration Amendment Regulation as of the 31st. of March, 1972.

HON.T. V. HICKEY (MINISTER OF PROVINCIAL AFFAIRS AND ENVIRONMENT): Mr. Speaker, I would like to table the regulations pertaining to the Real Estate Trading Act.

NOTICE OF MOTIONS:

HON. T.V.HICKEY(MINISTER OF PROVINCIAL AFFAIRS AND ENVIRONMENT): Mr. Speaker, may I have leave to give notice of motion? I am sorry I missed the opportunity. I would like to give notice that I will on tomorrow introduce the following bill: "An Act Respecting An Administrator For Lake Apartments."

ORDERS OF THE DAY:

MR. S.A. NEARY: Mr. Speaker, I would like to direct a question to the hon. the Premier. Before I do I want to welcome him back to the House after his bout with the flu. I trust that he is feeling better and that he will be able to stay with us for a while. I would like to ask the hon. the Premier if the government has taken any action on a letter from the United Steel Workers of America at Buchans asking the government to intervene, to have a representative of the company stationed in Buchans during the contract negotiations between the union and the company so that the company representative will be able to make on the spot decisions and they will not have to be continuously referring matters to the head office in New York.

HON. FRANK D. MOORES(PREMIER): Mr. Speaker, regarding the letter I received from the union at Buchans the part that I think is relevant is that it says very definitely the situation as outlined above, and that was the strike, in that conciliation have now been required and the fact that it may be repeated is of concern to this union, its membership and surely the concern of the government. "Whilst it is not the responsibility nor should it be of government to intervene in free collective bargaining or to force settlements on either of the parties it is however incumbent upon your government to remind American Smelting and Refining, a multinational corporation with its head office in New York, that it has a responsibility (1) to be a good corporate citizen, (2) to bargain in good faith with its employees to promote

industrial good faith and so on." It does not say anything about bringing in anyone from New York. It is our intention through the Department of Labour, our conciliator officer.to impress both upon the union and the company to deal in good faith and to be good corporate and good labour citizens.

MR. NEARY: Mr. Speaker, there may be a supplementary question arising out of the hon. Premier's answer but I do not want to ask it. I want to direct a question to the hon. Minister of Fisheries. Will the hon. minister inform the House if any action has been taken on a request from the fishermen in Torbay to have repairs made to storm damage at Tappers Cove, both to the facilities themselves and to the equipment and gear owned by the individual fishermen in Torbay?

AN HON. MEMBER: (Inaudible).

MR. NEARY: The question was directed to the hon. Minister of Fisheries, Mr. Speaker.

HON. R. CHEESMAN(MINISTER OF FISHERIES): Mr. Speaker, in answer to the question, there is some examination and investigation of the facilities at Torbay and Tappers Cove presently under way but specifically and I would not wish to make a statment that may in any way be inaccurate so I would prefer to provide the information specific that you are requesting at this time at a later time.

MR. P.S. THOMS: Mr. Speaker, I would like to direct a question to the Minister of Recreation and Rehabilitation, I believe it is, in relation to the Hoyles Home. Could the minister inform this House as to how

many people are resident in the home at the present time? How many of these people are at this present time paying at least six hundred dollars or more per month?

HON. J.G.ROUSSEAU (Minister of Rehabilitation and Recreation): Two hundred and forty-seven total and eleven are paying their own way.

MR. WOODWARD: Mr. Speaker, I would like to direct a question to the honourable minister of Economic Development. I would like to ask the minister if the Provincial Government have appointed the four members to the project group that was set up by the minister of DREE, the honourable Don Jamieson? In the project group is the committee that will be co-ordinating the phase-in of M.O.T. into the use of the base facilities.

HON. C.W.DOODY (Minister of Economic Development): Mr. Speaker, we have been in consultation with the DREE people on this, particularly with the minister. The arrangements have been made. We have made the recommendations for the provincial representatives. We are awaiting the joint decision now as to whom the manager will be. When that decision is made there will be an announcement to that effect.

I was under the impression that the honourable member for Labrador North had been so notified by the ministry in Ottawa to that effect, at least I was so informed yesterday when I was speaking to them. As the honourable member voiced his concern to me in the corridor, I immediately conveyed it to Ottawa and they told me that they would be in consultation with you. If they have not by now, I am sure they will shortly.

MR. WOODWARD: I would like to thank the honourable minister for his concern, Mr. Speaker.

MR. H.W.C.GILLETT: I have a question which I would like to direct to the Minister of Fisheries. This question has to do with the haul-out, the longliner haul-out and storage at Durrell's, Twillingate District. Can the minister tell this House please when the completion will be

finished and actually when it will commence again? I have a reason for asking this, Mr. Speaker.

HON. R.L.CHEESEMAN (Minister of Fisheries): In response to the honourable member's question, I would like to take this question as notice and supply the accurate information at a later date.

MR. GILLETT: Thank you very much.

MR. ROBERTS: Mr. Speaker, I have a question for the Minister (it is Manpower and Industrial Relations, is it?) The new act has been proclaimed? Manpower and Industrial Relations?

AN HON. MEMBER: (Inaudible)

MR. ROBERTS: It is the one act that was - the one title that has changed.

AN HON. MEMBER (Inaudible)

MR. ROBERTS: I mean the Premier should know who is in his cabinet, at least what they are called.

AN HON. MEMBER: (Inaudible)

MR. ROBERTS: Well, if the honourable gentleman would labour it would be a good thing for all of us. With reference to the letter addressed to the Premier on February 8, by the United Steele Workers in Buchans, signed by Mr. Don Head, their president, I wonder if he could tell us whether any steps have been taken to carry out the obligation which in the opinion of that union local is incumbent upon the Government of the Province? If so, what the steps are.

MR. DAWE: Would you read that one again?

MR. ROBERTS: Oh sure, Mr. Speaker, I will be delighted to. I wonder Mr. Speaker, whether the honourable gentleman could tell us, whether any steps have been taken by the government to carry out the obligation which in the opinion of the union local at Buchans is incumbent upon the government, and if so, what those steps are?

MR. DAWE: Is the honourable member referring to a letter to the Premier?

MR. ROBERTS: I said I was referring to a letter adressed to the

honourable the Premier,dated February 8, signed by Mr. Don Head, the president. A copy went to the gentleman who is the member for Grand Falls. I think it is fair to assume that my colleagues and I also have copies of this communication.

MR. DAWE: I do not recall seeing the letter.

MR. ROBERTS: In other words, Mr. Speaker, no steps have been taken that the honourable gentleman is aware of. Is that correct?

MR. DAWE: I think I will have to take that under advisement...

MR. ROBERTS: You would like to have words with the Premier. Okay, I suggest that you get together.

MR. NEARY: Mr. Speaker, the honourable Premier just misled the House in his answer.

HON. F.D.MOORES: A point of order, Mr. Speaker. I did no such thing as mislead this House. It seems, as a matter of fact, the honourable member for Bell Island said the same thing in a motion which was deleted. He is saying the same thing again now and I would ask for a retraction, Mr. Speaker.

MR. NEARY: Mr. Speaker, I will not retract until we get the tape or Hansard so we can see exactly what it was the Premier said in his answer to a question that I put to him.

MR. MOORES: I said, Mr. Speaker, that the government would follow through with the points I pointed out that were in that letter from the union in Buchans, to the effect that we would be asking the union and the company to bargain in good faith and as good

corporate and labour citizens. That was the quotation and that is the government's position.

MR. NEARY: Mr. Speaker, on the point of order -

MR. OTTENHEIMER: Wait until the honourable the Speaker recognizes one or the other.

MR. ROBERTS: Let the honourable gentleman reply.

MR. OTTENHEIMER: Let the honourable the Speaker recognize one or the other.

MR. ROBERTS: Let the honourable gentleman reply.

MR. OTTENHEIMER: Certainly I have no intention to interfere with it.

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

MR. OTTENHEIMER: On the point of privilege raised by the hon. the Premier -

MR. MOORES: Point of order.

MR. ROBERTS: Mr. Speaker, point of order.

MR. OTTENHEIMER: On a point of order.

MR. ROBERTS: On a point of privilege at this stage, the hon. the Premier has asked the gentleman from Bell Island if he will retract his statement.

MR. OTTENHEIMER: It is on that point that I now wish -

MR. ROBERTS: I am speaking to the point of order, Mr. Speaker.

MR. OTTENHEIMER: But, I was speaking first. The hon. member for Bell Island specifically said -

MR. ROBERTS: Let me be heard to the point of order first.

MR. SPEAKER: Order please!

MR. OTTENHEIMER: And such a statement is out of order.

MR. ROBERTS: Mr. Speaker, may I speak on a point of order?

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

MR. ROBERTS: Mr. Speaker, as I was saying, the Premier has asked the

Mr. Roberts

honourable gentleman to retract the statement. The honourable gentleman said, "he was not sure what had been said." The hon. Premier repeated his remarks and I think now the honourable gentleman, if he wishes to retract, should be given an opportunity and if not other steps will follow. I do think my colleague should be given the opportunity to say whether or not he will do as the Premier has requested he do; namely withdraw the statement, which my colleague says - it seems that the Premier has misled the House. The Premier has repeated his remarks as to what answer he gave in reply to the honourable gentleman's question. I think to conclude on the point of order, my colleague should now be given the opportunity either to say he will withdraw or to say he will not and in either case certain results will follow.

MR. NEARY: Mr. Speaker, I contend that the second answer the hon. Premier gave was not what he said in the answer to the first question and his answer is inconsistent with the answer that the Minister of Manpower and Industrial Relations gave, Sir. I would like to hear the tape or see Hansard, see what it was precisely that the Premier said in his answer to the question that I put to him the first time because the second answer was different than the first.

MR. MOORES: Mr. Speaker, speaking to the point of order, if I may,

MR. SPEAKER: The hon. the Premier.

MR. MOORES: I would like to suggest that the hon. member for Bell Island would like to retract his statement that I mislead the House,until he has read Hansard and then he will be in a position to give a proper opinion himself.

MR. NEARY: That is fair enough, Mr. Speaker.

MR. MOORES: To withdraw it?

MR. ROBERTS: Until -

MR. NEARY: Until I see Hansard.

MR. SPEAKER: The hon. member for Fogo.

MR. WINSOR: May I direct a question to the hon. Premier, arising out of an article appearing in today's "Evening Telegram," and arising from an interview on CBC by the hon. member for St. John's South, that he will recommend to the Premier that a Minister of Intergovernmental Affairs would not be appointed, would the hon. the Premier accept and take the honourable member's advice and not appoint that minister?

MR. MOORES: Mr. Speaker, it is a privileged conversation but I cannot say that it is not the intention upon the recommendation of the member for St. John's South - it is not the intention of the government in the foreseeable future to set up a specific department of intergovernmental affairs.

MR. ROBERTS: A supplementary question, Mr. Speaker, the Premier referred to a privileged conversation, I assume it comes in between the gentleman from St. John's South and himself. My colleague's question, of course, is based upon an interview which the gentleman from St. John's South gave to the CBC last night on their "Here and Now" programme. I am sure many honourable gentlemen saw it. I would not want the Premier nor anybody else to think that those privileged conversations to which we have access (which are numerous) are, not by wire tapping, as the Minister of Justice has assured us. You know, the question arose out of a statements, ill-considered or not, but made by the gentleman from St. John's South and I am sure many of us saw them on the television last night. They are in the papers again today, of course.

On motion of the hon. the Minister of Finance, a bill, "An Act Further To Amend The Department Of Finance Act," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Finance, "An Act Further To Amend The Department Of Finance Act," read a first time, ordered read a second time on tomorrow.

On motion of the honourable Minister of Education, "An Act Further To Amend The Department Of Education And Youth Act," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister Of Mines, Agriculture And Resources, "An Act Respecting The Department Of Forestry And Agriculture, " read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister Of Minister Of Municipal Affairs And Housing, "An Act Respecting The Department Of Municipal Affairs and Housing," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister Of Labour, "An Act Respecting The Department Of Manpower And Industrial Relations," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister Of Supply And Services, "An Act Respecting The Department Of Tourism," read a first time, ordered read a second time on tomorrow.

On motion of the honourable Mr. Barry, "An Act Respecting The Department Of Mines And Energy," read the first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister Of the Economic Development, "An Act Respecting The Department Of Industrial Development," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Health, A Bill, "An Act To Amend The Department Of Health Act," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Labrador Affairs. A Bill, "An Act Respecting The Department Of Social Services," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Public Works, A Bill, " An Act Respecting The Department Of Public Works And Services," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Fisheries A Bill, "An Act Respecting The Department of Fisheries," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Provincial Affairs, A Bill, "An Act Respecting The Department Of Provincial Affairs And Environment," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Justice, A Bill, "An Act Further To Amend The Judicature Act," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Justice A Bill, "An Act Further To Amend The Criminal Injuries Compensation Act," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Justice. A Bill, "An Act Further To Amend The Agreement Ratified, Confirmed And Adopted By And Set Forth In The Schedule To The Leitch Gold Mines Limited (Agreement) Act, 1964, And To Make Certain Statutory Provisions Relating To That Agreement," read a first time, ordered read a second time on tomorrow.

On motion of the honourable the Minister of Finance, A Bill, "An Act To Amend The Crown Corporations (Local Taxation) Act," read a first time, ordered read a second time on tomorrow.

On motion a bill, "An Act To Amend The Crown Corporations Local Taxation Act", read a first time, ordered read a second time on tomorrow.

MR. CROSBIE: Mr. Speaker, with the permission of the House I would just like to revert to Notice of Motions, to give notice of a motion.

MR. SPEAKER: The honourable member has leave.

MR. CROSBIE: I give notice that I will on tomorrow ask leave to move the House into a Committee of the Whole to consider certain resolutions in relation to the granting of supplementary supply to Her Majesty for the financial year ending the 31st. day of March, 1973.

ADDRESS IN REPLY

MR. SPEAKER: The honourable the member for Bonavista South.

MR. J. MORGAN: Mr. Speaker, in continuing this debate I recall leaving off talking on the fisheries and the fishery problems in my District of Bonavista South. I will say a few words on rural development.

My government's establishment of a rural development department in my view is one of the better things that happened as a result of the restructing of this government. For too long we have seen neglect with regard to rural Newfoundland. For too long we have seen small rural, viable communities forgotten about. And finally we have a department all in its own to look after the problems of rural Newfoundland but most important of all to develop rural Newfoundland.

I would also like to point out that the appointment of a man who lives in rural Newfoundland, who knows rural Newfoundland and has proved himself in rural Newfoundland, is an excellent choice for the position of minister of that department. I speak of the honourable member for Trinity South.

MR. WOODWARD: I thought you were talking about Nain.

MR. MORGAN: Nain. You are in Labrador, unfortunately.

The Rural Development Authority is making loans available to small business people, small business people who had little or no hope before trying to obtain assistance for the grants or loans to get a small

business going. I am very pleased that quite a few loans have been already made to sawmill operators in Bonavista South enabling them to expand their business, not only to expand their business but to also start new business enterprises. I am firmly convinced that the sawmill industry on the Bonavista Peninsula is a very potential big industry. It has been neglected in the past to the point where not even the existing forest access roads were kept open during the winter months. But now we see a hope for the sawmill people, for the loggers and the lumbering men and this is very important to areas like Bonavista South.

Now upon making loans available to these sawmill operators there has to be a second phase and that second phase is making sure that the sawmill people and the lumbering men and the loggers can get access to the timber stands. That is why I am pleased over recent weeks in meeting with the officials in the Department of Forestry and Agriculture that this government are embarking upon a forest access road construction programme which will work in coordination or liaison if you wish with the Rural Development Authority.

But if we are going to build forest access roads, if we are going to open up timber stands to the small business man in the rural areas, there is another aspect that we must also look at. that is the conservation of and the supervision of the cutting of these timber stands. I am a little disappointed that an item mentioned in last year's Throne Speech, in the last General Assembly, the Thirty-Fifth General Assembly, that my government's intentions were to set up a conservation corp, which was an excellent idea - I sincerely hope that my government will take this step in this coming year and set up this conservation corp which will see the combination of fishery wardens and game wardens, forest rangers, combining in one force, if you wish, to see that the conservation of our forestry and wildlife is maintained.

I would also like to see more field staff in our regional offices, especially in the field of agriculture and forestry. I think that is of vital importance,

because there are men making applications. I know in the past, for example, for the construction of the forest access road or for the clearing of a piece of land for agricultural purposes and been waiting as long as three, four, sometimes six months before eventually a field man visits him to find out what he is applying for. So I think it is of vital importance to these men in rural areas if they have men to get information from an expertee's advice, if you wish, men established in regional offices around the province. I have also with regard to loggers and people supplying pulpwood etc. concerning mills around the province, I have also written to the Federal Government (which is a Federal Government jurisdiction, if you wish) asking that the Unemployment Insurance Act be reviewed or revised, if you wish, to include these men who cut the logs and sell them to sawmill business people or to a pulp mill, that they be included under the Unemployment Insurance Act the same way as fishermen are today. The fishermen catch the fish and sell them to different merchants and obtains stamps for same. I see no reason why a logger cannot cut his logs in the wintertime and in the summertime when he is sometimes unable to get down in the country to cut the logs he could be drawing unemployment insurance benefits.

I have written the hon. Minister of Manpower and Immigration on this matter requesting it be given consideration and I certainly hope it will be given consideration.

Now one of the most important departments to my district at the present time is the Department of Transportation and Communication formerly known as the Department of Highways. Now the roads going down through Bonavista South, where we see a total of approximately fifteen communities such as Southern Bay, Princeton, Summerville, Plate Cove East and West, Open Hall, Red Cliff, Kings Cove, Knights Cove and on down through to Bonavista, for the past couple or three years they have been of the impression that they have been or are going to be

forgotten because of fact that there is a brand new road, DREE road if you wish, going down through the peninsula to Bonavista,known as the Cabot Highway. Thank God last year that road was completed with all pavement right to Bonavista!

But these other communities going down to the shore -

AN HON. MEMBER: (Inaudible).

MR. MORGAN: The Federal Government's, not the Provincial Liberal Government's.

AN HON. MEMBER: (Inaudible).

MR. MORGAN: The Federal under DREE. Anyway, Mr. Speaker, the road is now completely paved but the other road going down to the southern part of Bonavista Bay,which is of vital importance to these sixteen or fifteen communities, I am proud to be able to stand in this hon. House and say that my government is now doing an engineering survey on that road. I know it is going to be of major cost as it is a major construction job. But my government is now doing an engineering survey in the hope that when funds are available, it cannot all be done in the one year, Mr. Speaker, I fully realize that, but the fact it is going to get started, the fact that my government is showing the initiative and getting the thing started on behalf of these communities on that shore is very pleasing to me and it is good news to all these residents in the communities on the south side of Bonavista Bay.

Of course there are many roads in Bonavista South as well as the Route No. 10,known as"going down to the shore", the road from Salvage to Eastport, from Winter Brook to Jamestown to Lethbridge, from Kennys Cove to Musgravetown there all these roads that need upgrading and eventually paving. It takes a number of years to get them all done but I am hopeful that my submission to the Department of Highway's officials and to the minister that with priorities in regard to these potential projects they will get the consideration they deserve in the future two or three years.

There is one little sore point may be with me with regard to that department and that is not the fault of anybody in the department. I think it is a fault that we must correct and that is that we now have much outdated equipment. I am sincerely convinced that my government must invest substantially in replacing some of the outdated equipment we have in that department. The maintenance division which, this winter alone I have seen cases where communities such as Open Hall and Red Cliff in my district were closed for as long as five days mainly because of the equipment being broken down. So I would recommend strongly to my government that they invest a very substantial sum of money and replace this outdated equipment.

The other aspect of the highways, the maintenance, which is a sore point with me as well, is the fact that because of the lack of equipment and lack of good equipment the department has been forced to -- if you wish, to centralize its service. I disagree with that entirely because if the highways are going to do an efficient maintenance job especially in rural areas like Bonavista South and with scatter communities like Bonavista South they must have decentralized servicing in the Department of Highways or Transportation and Communication.

So I am hopeful that after the funds are available and equipment purchased that this policy of centralizing services in the Department of Highways, maintenance division, will be changed and it will be changed and the depots that were removed from the district last year like the Lethbridge depot and the Eastport deport, which were relocated outside of my district, will come back again and establish there and provide the proper kind of maintenance that these communities deserve.

Now, Mr. Speaker,

AN HON. MEMBER: (Inaudible).

MR. MORGAN: It will, yes. I would like to say a few words on the Manpower and Industrial Relations Department or manpower, period, if you wish. With regard to the training and the type of training -- technical training,

if you wish, of people leaving high school and going on to either university or vocational training schools.that this training must relate, and I repeat it must relate to the manpower needs of this province, to the labour market. I refer in particular to the two examples during the peak construction period of the Come by Chance Oil Refinery and during the peak construction of the Linerboard Mill in Stephenville. We as Newfoundlanders had to go outside, if you wish the employers had to go outside of the province to find skilled tradesmen mainly because in the past we have not had a training programme co-ordinated according to the need of the labour market.

So I would strongly recommend to this hon. House and to the Minister of Industrial Relations or Manpower and Industrial Relations that a special division be set up in that department and it would have two main functions. Number one would be to keep a constant check on the present and future needs of the labour market in this province and to relate these needs to the vocational training schools and technical schools in the province. In other words,have our training co-ordinated with the needs of the labour market. The second function that I would like to see that division responsible for would be to provide a counselling and guidance service to these high

school guidance who are going out into the world and not knowing where they are going in many cases. They have little or no guidance, little or no counselling. I think it is of utmost importance for our young people to be able to avail of some kind of counselling service as to what their profession is going to be, what their trade is going to be and what training they are going to receive or wish to receive. This would be the main second function, number two function if you wish, of that new division in that department.

It is unfortunate that the federal government's manpower counselling is not doing, in my view, an adequate job because if they were there would be no need for the provincial government to provide this kind of counselling service. I would say that from my past experience in dealing with Canada Manpower, the federal department. that an applicant makes an application for employment, it is filed and it is forgotten about until the applicant returns to the office to find out if there is a job available.

In other words, there is no major attempt to go out and find the right kind of employment for the individual applicant and that is the reason why I would like to see my government, the provincial government, get involved in the counselling and guidance and seeking of job opportunities for these skilled and technically trained individuals.

With regard to the manpower needs and the training, I will say a few brief words on the university. For example we are now building a new engineering school at Memorial University and without any hesitation I disagree with that construction because I think it is at the expense, at a time when we cannot afford it, it is at the expense of the needs of elementary and secondary schools around this province. We already embarked on the construction of a new medical school and university which is a total cost of $45 million and we are going to bear the cost of $15 million. But I think that because

it was down to a point when this new government, the Progressive Conservation Government, took over power and to avail of the federal funds that were available to us, we had no choice but to go ahead with that project, which we are now doing.

But the engineering school was a different situation, Mr. Speaker. I personally would like to see a few questions answered, like how many engineers can this province employ five years, ten years from now? That is one very important question. If we are going to invest millions of dollars in the new engineering school and maybe in a few years time there will be no jobs available for these graduates, we are very unfortunate, especially as I said before, when we are crying, there is a crying need around this province for new elementary and secondary schools.

Mr. Speaker, when I stood in this honourable House the last session, there was a very important problem in Bonavista South and that was of the medical facilities and services. I would say at this stage, with regard to medical staff in the Bonavista South District and the Bonavista Peninsula, it was never so good before, unqualified. We now have six doctors stationed and practicing on the Bonavista Peninsula and never I think in the history of that peninsula did we see so many qualified doctors practicing there. This was a very important need and I would like to express my thanks to this government on behalf of my constituents, to a Minister of Health who is very sincere in his job and it may be because of his efforts that we now have six doctors on the peninsula. In the coming spring we will have two dentists in Bonavista, six doctors and two dentists, Mr. Speaker, which is a big improvement over the past.

Another very important factor with regard to the improvement of medical services and facilities is the new accommodations with regard to hospital facilties at Bonavista. There will be a new hospital building at Bonavista. There is no question mark on that. It might not all be completed in one year. It is going to be a very

costly construction. But there will be a new hospital in Bonavista and that is going to supply a tremendous need to my district. That, Mr. Speaker, I am very thankful for on behalf of my constituents.

Mr. Speaker, I would like to say a few words with regard to the services that my government is providing now or contemplating on providing communities and areas where there is no form of local government. This is where the role of an MHA comes in. Many questions have been asked about the role of a Member of the House of Assembly and I think this is the important role that he could play. If a member is going to know his area, know his district, if he is the right kind of member he will consult with the people continuously and if he is that kind of an MHA, then there is no objection, there is no reason why the government officials in the various departments should not consult with that member before they start any projects with regard to development in these communities and areas. It is also going to give the opportunity to the people to put an imput in the government,if you wish, through their member. This is of utmost importance. If we are going to be truly democratic, and let us hope that we will, this is the only kind Newfoundland deserves, then we must give the people the opportunity to have a say, have a say in the affairs of this province, to have a say in what they are going to receive from government in development and improvements in the communities, whether it is the establishment of recreational facilities or water supplies or tourist facilities, park accommodations,etc., no matter what it may be, people must have a say.

This is the role of the MHA as far as I am concerned, where the people can give an imput and should be giving an imput to government through the MHA. It sort of riles me at times when I recognize the fact that some government officials do not consult the MHA before some action is taken in his respective district. If they are going to represent

"X" number of thousands of people, department officials should consult with them at all times regarding the development of their districts. That is the reason why I welcome the announcement made recently, I am not sure if it were made in the honourable House or not, I know it was made publicly by the Premier that there would be committees set up of members of the House of Assembly. This does not mean just the members of the government side, the backbenchers, it should mean all members of the House of Assembly. Give them a role to play, give them a role to play in the formulation of government policy. This is where they can give the imput if you wish, on behalf of their respective constituents.

Now, Mr. Speaker, I have spoken in this Throne Speech debate and I think, as I pointed out in the beginning of my speech, that this honourable House of Assembly is a place of dignity, we must

keep it that way. An M.H.A's role is a responsibility role. A responsibility to his constituents, a responsibility to his province.

It is a House of decisions. That is why we are here, to make decisions, decisions effecting thousands of Newfoundlanders. If each M.H.A. is to be a leader and he should be a leader to his "X" number of thousands of constituents, he should act accordingly. I have used my responsibility in this speech to speak openly, truthfully and factually. But, Mr. Speaker, I have spoken with sincerity on behalf of my constituents.

As we embark on this second year of the Progressive Conservative Government, I sincerely hope that the next few years will mean action on the part of my government for development of this beloved province and for the benefit of all Newfoundlanders. Thank you.

MR. A.B.PECKFORD: Mr. Speaker, I wish to address myself to the Speech from the Throne which in my opinion is one of the most realistic and pragmatic documents ever presented to this honourable House. It indicated in general terms, for that is what the Throne Speech is supposed to be,the government's intention of policy in the various sectors of our economy. It is more than distressing to hear so little said about the many commendable ideas contained in it. In the restructuring that has been now finalized, we find a whole new direction in the government's sensitivity to various areas of government.

By the mere fact that the government has seen fit to have a separate Department of Tourism, to have a separate Department of Agriculture and Forestry, to have a separate Department of Social Assistance, to have a separate Department that emphasizes youth and to have a separate department that emphasizes communications, one that emphasizes mines and energy, one that emphasizes rural development, indicates to me in most certain terms, this government's intention to grapple with the problems of the 1970's.

Mr. Speaker, throughout the past two or three years, the Progressive Conservative Party of this province has contended that one of the most important tenants in its platform was the stimulation of the rural economy. When this party took over the government, they wasted little time in making good this commitment, for, Mr. Speaker, the birth of the Rural Development Authority marks the first time in our history when a concrete, tangible, determined effort has been made by government to assist the rural areas of this province. Its unqualified success to date confirms the government's belief that without vibrant rural development in Newfoundland, we cannot expect to flourish as a province.

Mr. Speaker, in my own District of Green Bay, the closing of two mines,in 1971, was thought to herald economic depression in that area for many years to come. However, nothing could be further from the truth. The infusion of capital from the Rural Development Authority and the start up of woods operations for the Labrador Linerboard Mill has meant hundreds of jobs for the people of Green Bay and has succeeded in giving renewed confidence to the people for a bright economic future.

Mr. Speaker, this is what I call action which the Opposition chooses to ignore. Mr. Speaker, this government is not afraid of Labrador, rather it recognizes the myriad and varied problems that exist in that vast area. Consequently, the govenrment appointed a royal commission to investigate and report on these problems. This government recognizes and sympathizes with the fishermen who live on the Coast of Southern and Northern Labrador. It is this Area of Labrador, that is the fishermens' area of Labrador,that has been most neglected over the past two decades.

We realize though, that for true progress to occur in L'Anse au Loop or Charlottetown or Fox Harbour or Nain or anywhere else on the coast, we must have all the information that can be obtained. Hence the reason for the royal commission. This is action by government that

the oppositon wishes to ignore.

Mr. Speaker, I have not even scratched the surface. What will make this province prosper and become great, is when we tackle with those vital sectors of our economy namely, forestry, fishing, mining and agriculture. For decades, Mr. Speaker, this province has been hampered in its forest development because large tracts of our timber have been in the control of a few companies. To have a flourishing sawmilling industry, to move towards the establishment of wood working factories,it will be necessary to have tracts of timber available. It is pleasing to note,therefore, that this government are presently working in co-operation with the Federal Government in this task force in forestry to bring rational policy to an area so neglected in the past. This, Mr. Speaker, is action which the opposition chooses to ignore.

Mr. Speaker, we cannot burn our fishing boats, we cannot forget our fishery, hoping that the problems will silently steal away. You cannot go after massive industrial projects to the detriment of the fishing industry. We must recognize the present world situation in that industry. We cannot permit the other great fishing nations of the world to have a monoply on our fish resources. Therefore, Mr. Speaker, I am proud to be part of a government that announces a $40 million programme to modernize our fishing industry. Simultaneously, Mr. Speaker, we must recognize and identify those areas where the inshore fishery still has a profitable future. That in itself is a tremendous task. Hence I am pleased,in this regard, to see that in the past year a record fifteen million dollars have been spent through the Fisheries Loan Board construction programme.

We owe a great debt, Mr. Speaker, to the fishermen of this province. Their unceasing labours over the past decade and even centuries are in a large measure responsible for where we are today. Their hard work and indomitable spirit have engrained into the

Newfoundland personality a will to persevere and succeed, an attribute, Mr. Speaker, that I hope we shall never lose. This, Mr. Speaker, is action which the oppositon chooses to ignore.

How tragic it is, Mr. Speaker, to scan a map of the mineral concessions of this province where companies were allowed to tie up large tracts of our land,ignoring the responsibility they had to explore and develop. But, Mr. Speaker, a new day is dawning. The Speech from the Throne indicates that this government intend to introduce a modified concession system permitting claim - staking. This will make it possible for companies hitherto reluctant to come to this province to explore and develop those minerals that must be in the soil of this province. This is action, Mr. Speaker, that the opposition chooses to ignore.

Mr. Speaker, there are areas of this province which can be developed for agricultural purposes. The farmer is very often the forgotten producer in this province but, Sir, already farmers are being assisted to further develop their arable land through the Rural Development Authority. In addition we see that this government intend to tackle constructively one of the main problems facing farmers in this province; namely that of equipment and land clearing.

The establishment of farm equipment banks throughout this province will greatly assist the agricultural sectors of our economy and help them become a source of employment in our province. This is action, Mr. Speaker, that the opposition cannot accept. It is heartening to note, Mr. Speaker, that this government will not be railroaded into industrial projects which might mean little return for the province. On numerous occasions the government have indicated their intention in the development of the Lower Churchill and no doubt such development will become a reality but only on the government's terms.

Mr. Speaker, this is surely a new direction for this province. This surely is a rational attitude to take,and I am sure it is the wish of the vast majority that if and when industrial projects do start,it will only be when this province is assured that it will reap the maximum benefits possible.

Mr. Speaker, this is a sane and rational policy. It is a far-cry from the irrational and madening announcements so characteristic of the past decade. This, Mr. Speaker, I contend is action too but action no doubt difficult for the opposition to comprehend.

Mr. Speaker, my first reaction to the remarks made by the hon. member for Bell Island concerning education was amusement. Such

reaction soon turns to tragedy and I am sure, Mr. Speaker, that the remarks were a constant embarrassment to all the other members on the other side. To state, i.e., that many of the educational problems of North America can be directly linked to a mad rush for teachers' certificates,in the case a total lack of knowledge, yea ignorance on the part of the hon. member for Bell Island. What does the hon. member for Bell Island mean when he says: "common-sense teaching." There is a phrase, Mr. Speaker. There is knowledge of teaching methods. That is the panacea to all our educational problems - common-sense teaching. Let all the officials of the Department of Education, let all the superintendents of boards throughout this province, let all the principals of the schools and all the teachers in these schools take note: The answer to our educational ills in North America has been solved in one tidy, neat phrase - "common-sense teaching."

It would do well for the honourable member to remember that a little knowledge is dangerous and that our educational ills relating to teacher qualification, teacher/pupil ratio, curriculum development and the primary level to the university level are problems on which many of our educational experts disagree.

Mr. Speaker, being a former teacher, it is heart warming to see that this government intend to introduce the long overdue collective bargaining legislation relating to the teachers of this province. This, Mr. Speaker is action which the opposition wishes to forget.

Mr. Speaker, I wish to voice my concern with the very serious inflationary situation that exists across this nation. It is saddening to note, i.e., that in the first six months of 1972, the consumer price index rose by 5.8 per cent, chiefly as a result of higher food prices.

I am sure every one in this province hopes that the Federal Liberal Government in Ottawa will take steps to ensure that the spiralling increase can be stabilized. All the strikes and demands by labour for higher wages are of no avail if simultaneously prices continue to skyrocket.

Mr. Speaker, I maintain that over the past twenty-three years, this province has progressed in supplying services, highroads, communications, water and sewer facilities, etc. or what is commonly known as infrastructure, but without creating the corresponding employment opportunities, especially in rural Newfoundland, so that this infrastructure can be maintained. In other words we only proceeded on one front, creating, therefore, an embarassing debt situation and hence the difficulty in now providing those employment opportunities that are essential to bring new dollars into the province. This is not to say, Mr. Speaker, that such services were not essential and are not essential. It does indicate, Sir, that we put too many eggs in one basket.

With the policies outlined in the Speech from the Throne, I am confident that this tragic situation can in years to come be corrected so that we will be able to stand with our sister provinces in ensuring that if our province genuinely progresses so does Canada.

Mr. Speaker, this government is a government of action.- a-c-t-i-o-n, (Where is the Leader of the Opposition?) but a different kind of action than has been the case in the past. Therefore, Mr. Speaker, I fully support and endorse both policies and programmes outlined in the Throne Speech and firmly believe that in the realization of these goals our province can find itself within the main stream of Confederation.

That is not all, of course, Mr. Speaker, that is in the Speech from the Throne, not nearly, although that is enough to persuade any reasonable, common-sense individual, in this province today, that this government is a government of action. Let the facts speak for themselves.

In addition, Mr. Speaker, there are many other things in the Throne Speech which, in themselves, could take up quite a bit of discussion and debate in speeches in this honourable House. I did not mention, i.e., the Forest Access Roads Programme that has been greatly expanded and as a matter of fact there is a great contribution to the economy of the Green Bay District right at the present time. Over the last six or seven months, one access road has been put in now, supplying about fifty or six jobs. A new access road down on the Burlington Peninsula or the Baie Verte Peninsula which is to service the loggers and sawmill operators down there will, undoubtedly, create another forty or fifty jobs. If, of course, we are going to really try and develop our forest industries, this is what has to be done. A private sawmill operator or a private pulpwood operator just cannot afford to put these roads in and it is the government's responsibility no doubt to do so. I think this is a very worthwhile programme. As the hon. member for Bonavista South mentioned on the Forest Access Roads Programme, that it was going to be done in collaboration with the Rural Development Authority.

This government also, Mr. Speaker, from the Speech from the Throne, indicates its concern and continuing negotiations in trying to get something done with deep water seaports. I remember back in 1953 or 1954, when I lived in Marystown, which was then only a community of about 1,000 people at the most I suppose, there was a lot of talk at that time (I was in elementary school) about Mortier Bay and the great development that was going to come about and I am still waiting on it today, Mr. Speaker. It goes to show that great announcements and so on about something going to start up really do not mean very much - that keyword that is a part of this administration, planning and behind the scenes work will pay off in the end. That will only be a short political gain if it is done any other way.

In line with the government's policy to set up a department of mines

and energy which recognizes the importance that energy oil and gas and other minerals are going to take in this province. The government also through the Speech from the Throne indicates that it is going to set up an offshore petroleum advisory council so that we can be ready if and when oil is struck off our coast. All indications point to some sort of a discovery happening out there. Of course that will be a great day for Newfoundland if and when this does occur,and will bring in new dollars. This is the whole point I think, Mr. Speaker, when we talk about,even my small bit of knowledge on economics, that it is no good to produce services and to do all the other things that every individual in this province wants, if at the same time we do not have the corresponding new dollars to come in to take care of those services that we are going to supply. It is only ludicrous. It is absurd to provide $2 million water and sewerage project for some town down in Bay de Verte District or down in my district or down in White Bay South or anywhere of this province, if we cannot see that we are going to have the "X" number of dollars needed to cover these services.

Many of these communities, as some member mentioned the other day where we are talking about $200 million or $300 million projects, what happens ? Are the people in these municipalities going to be able to pay for the cost of these services ? It is not alone good to say that they need water,and I am one of the first to go along with them, and need sewerage and so on; the corresponding cost on the government and on the people in these communities is a factor that has to be taken into consideration. It is an added problem when we consider the fact that we want to keep many of the rural parts of Newfoundland,that it is essential that we do. Many parts of my district as I mentioned,the Burlington Peninsula, there we had three communities,Smith's Harbour, Burlington and Middle Arm, it can be a very vibrant and progressive area because of the forest resources that exist only about four miles inside of it.

But at the same time if we took those three communities,which would have a total population of 1400 people,to provide the water and sewerage

facilities that these people are going to demand over the next two or three years it is going to be vitally necessary that each and every individual that lives in those communities that can and is able to work has a job, so that they are bringing in these new dollars, so that they are going to be able to pay for these services that they are going to desire. This is what has to be done,of course. So it must be a twofold thing.

As we go ahead on employment opportunities and rural development this will also enhance our opportunities of being able to provide the assistance needed to build these water and sewerage facilities and other facilities that these towns should and must have. But it is a very, very big problem, Mr. Speaker, and one which torments me somewhat because I have various communities in my district.

The other problem with this business of providing water and sewerage facilities is the fact that many of the communities that are going to remain over the next two or three decades are communities that are on the coastline and are situated on one solid bed of rock. Now you try and put a water and sewerage system down in that community, which will cost $1 million or $2 million. Here you have this added problem.

At the same time as I am cognizant of and sympathetic to and sensitive to and all the other phrases that a politican uses from time to time, to the problems of a given community and their right and desire to have a water and sewerage system, at the same time I also realize,with that minute bit of knowledge that I have and have managed to accumulate over the last sixteen years, twenty years, twenty-five years,that it is a real problems that governments have to face, that is perhaps the only way that we are going to do anything with it in the long run - and surely this must be our first priority - by creating as many jobs as we can in rural Newfoundland thereby bringing in new dollars which will then bring in more tax dollars to the province and hence perhaps a better opportunity

for government to act in a positive way on the demands of people in these communities.

Mr. Speaker, another very important vital statistic that I have before me is that between 1960 and 1970, 39,400 people left this province, 39,400 people left this province. Hopefully through a rural development programme and through the Newfoundland and Labrador Development Corporation, which was also mentioned in the Speech from the Throne and which we are now instituting and getting it into action, this exodus can be retarded or stopped some way because there is no way this province, with all its best laid plans of mice and men, are going to be able to be proceeded with, because what are we losing, the 39,400 people? I have not a breakdown of it, Mr. Speaker, but I hasten to add that of the 39,400 a goodly number, by far the majority are young people.

It never ceased to amaze me when I was teaching, Mr. Speaker, to find out of thirty-five or forty students in the class, those people who dropped out or even graduated from high school and you asked them what they were going to do? What their future plans were? What did they have in their minds that they wanted to do? "Go to Toronto." "I want to go to Toronto." This has to be curbed and perhaps this is a way to do it, hopefully, through the Vocational Educational Programme, an expanded programme in that way plus our university, plus some development there. I think that is something else, it is an attitude abroad that has permeated our whole system, our whole soul for the last twenty-three years and I do not know why. It is no part of me really, that this inferiority complex that we have, not only if a St. John's man goes to the mainland he often sort of feels inferior or something - the mere fact that I am saying it indicates there must be some credence to it, I suppose. How else did I get it? Did I get it erroneously or what? This is also true when you talk about the "bay" and the "town". It is even true now if you talk about Lewisporte and Comfort Cove. It is even true now if you talk about Springdale and

Little Bay or Roberts Arm. It is true if you talk about St. Anthony versus St. Anthony Bite. It is true if you talk about Deer Lake and Cormack perhaps. It is true if you talk about Burgeo and Grey River and so on all around the province, Marystown and John the Bay. Everywhere in the province,you even get it down on the regional level where the children and the people of Springdale have a certain attitude towards the smaller community just outside. We must try and encourage our young people I suggest, Mr. Speaker, to have a positive attitude towards it. And of course,talking about that, Mr. Speaker, the same thing holds true for a lot of the occupations and vocations. I think primarily of the fishermen. We are always going out of our way try to say fishing is a great life. I do not know if that is the right approach to take, Mr. Speaker. We have sort of flogged that to death, almost, but there has always been this opinion. I do not know if it came from years ago, when we were told to burn our boats. I do not know. I do not think it is as simple as that, but this has developed. Look at Iceland and then look at Norway and some of the other great fishing nations of the world, where a fisherman is looked upon in such high esteem. Perhaps it is because we have had the influx from North America, especially the United States, where we have had so many professional people and so on, with fancy talk and fancy clothes and fancy cars and so on, that this has brought up this attitude. But it is a very erronous and wrong attitude to have.

The one thing, Mr. Speaker, that always bothers me -- it must be a rush, in our rush for development, in our rush to be a province that can stand up to any other province, a province which has just as much as any other province, as we start going on this way and in this direction we must do - what happens to our own unique personality, manners of speech that we have,that we have in our rural parts of Newfoundland? There have been attempts made through university I know , linguistics department and others too, and the people in sociology to do studies on various communities in Newfoundland and areas about it.

Mr. Speaker, I contend that if we go ahead and lose that one thing that the tourist are looking for, you know, not only the typical, physicial Newfoundland community which is one thing, which you can in Peggy's Cove, Nova Scotia somewhere, but the people - I think that we get many of our tourists to this province simply because they want to come and live among the people of Newfoundland because there is something different, because of our insular position, because of the way our history and so on developed, that we have something different about us, we are hospitable, we are exuberant and all the other characteristics, you know - let us pat ourselves on the back.

If we lose that in Mrs. Jones'rush, down in Hibb's Cove, to have her deep freeze and to get her carpet on her floor and all the other amenities

that she demands and desires just as much as anybody in suburbia St. John's. If at the same time she loses that character which is distinctively Newfoundland, to be a Newfoundland woman, but try to put on airs of being like the St. John's lady or the Toronto Lady, if we lose that surely we are going to lose a valuable resource on which nobody can put a dollar sign and from an academic point of view I think it would be, I think we would have to be very, very careful in that regard.

Also, of note, Mr. Speaker, to stop my rambling somewhat and get back to the Throne Speech. I remember last year in the estimates, I think it was for the Department of Education, Mr. Speaker, there was some mention made at that time about allowing far more dollars and cents to the children out of the province. There is another word for it too, Mr. Speaker, and I can not think of it just now, that educators use sometimes to describe the underprivileged child. There is another word that they use for it. The exceptional child, yes, meaning those physically handicapped and so on.

More money was allotted under last years budget and estimates than had been done in five or six years before that and I think it is a tremendous thing. I note with interest and verify to the fullest in the Speech from the Throne where the government actually took notice of the physically handicapped and their attention to this area of education if you want, and I think this is very, very important that this be done.

Mr. Speaker, we talk about exceptional children and so on: The other thing in our education process which is often missing is that within our schools today, in our normal school programme today, the experts say that about three to five per cent of children normal day-school children, do have some kind of hearing or eye defect and very often we find that many of those students are unsuccessful chiefly because of the defects and not through any mental

retardation or other things that occur. That is a point of great concern but I only emphasize the point here, Mr. Speaker, that it is good to see that the government is sensitive to the smaller group of people in the province, minority group of people in the province who have a particular problem, unique problem which needs to be arrested and thingsıdone for them.

Also, Mr. Speaker, for three or four years now or longer, I suppose ever since about 1962 or 1963, since I have been more aware of the things around me than previous and going to the university over here, mention has been made from time to time about regional colleges throughout this province. Regional colleges in the sense of colleges to provide post secondary education for a two year period and from there they could go on to the more central and the larger university complex to procedd to their degree, in post graduate work, I notice this with interest and I hope that I allow that the government intends this year to go ahead and establish the first regional college.

I am not the Minister of Education, Sir, and therefore I can not say where. I am only speaking now particularly, on the principle that they are going to go ahead and create a college. I have no intention, right now, to get into the hurly-burly of some of my colleagues over here one of whom might become rather violent if I said one place and the other person if I said the other. The principle of establishing a regional college somewhere in this province, unfortunately, it can not be Labrador at this time which mighe be something to be looked into by the way in the next couple of years. Let us hope that we can arrest that situation before it arises.

I think it is very important and my appointment is going to be, Mr. Speaker, that it is prudent that we only establish one regional college at this time to fully ascertain the ramifications

of a regional college in a given region to see how the programme developes, to see how the students react to this kind of programme because it will be new to them, to see how the faculty and staff of this new institution works out. There are many and varied problems connected with it and if we went on full-scale basis and said, "we are going to establish this year" or made the statement that we are going to establish in the next year and a-half or two years four regional colleges or five regional colleges and went ahead simultaneously with the construction of all of them only to find out three or four years from now that well, perhaps we only need two and perhaps it just does not pan out in this given situation. It is difficult to say but it surely should assist a lot of people (I think it is supposed to go on the West Coast, Mr. Speaker) and I imagine it will keep down the cost of education for a lot of budding graduates out of high school instead of having to come to St. John's and board and all the rest of it although I realize that some of them will be from St. Anthony's, some be from Port Aux Basques or whatever but it will still be a cut-down on their costs of their first two years in university.

It might make a bit more personal atmosphere as right now the university over here is getting a bit too large and too offical and impersonal. It is always a good cliché to use things that happen when universities get too large. We might be heading in that direction and this could help to stimy that kind of a situation and atmosphere from occuring. So much on the regional college.

Mr. Speaker, another point that was mentioned in the Speech From the Throne which I am particularly interested in, is redistribution because, as we see now in the federal scene and so on , I think that governments in general tend, especially now in the federal case, to look upon redistribution and the formation of districts, whether they

be federal or provincial, in too narrow a light. What I mean by that is that the idea of geography, especially in the Newfoundland situation, is one that must take top priority in any consideration by any commission or by any board on how you are going to redistribute the districts in this province.

It goes without saying that when you get into a district which only has perhaps six, seven or eight thousand voters that at the same time the member for that district must travel one hundred or two hundred miles in order to get anywhere with this, I think geography must be a very big factor in the determining of what is to be a district and what is not to be a district. It is with a little sadness that I view the federal scene. I cannot find too many advocating a greater emphasis on geography in determining the number of districts in a given country or given province but I am glad to see that it is coming about. I think that it is overdue in the province and hopefully we will see something on that in the next year and a half or two years.

Of course, Mr. Speaker, when we took over, when this Progressive Conservative Party took over government, we found outselves in a bind financially and I have to say, Mr. Speaker, that I am extremely proud of the way the linerboard situation has been handled. I think the hon. Minister of Finance has been mostly involved in that, (Is that not true?) from the time the government took it over and I think that most Newfoundlanders are happy that the government stepped in when they did. Since that time I have seen the Labrador Linerboard Complex come along to

reality and now the beginning of the production of linerboard for overseas markets. That is a tremendous amount of money gone into that project. The government is in there for millions and millions of dollars and it must work, it must go ahead and it must be successful, in my view.

MR. WINSOR: (Inaudible).

MR. PECKFORD: No, I do not know. I know it is up to $160 million, I am just pulling the figure out of the air.

MR. WINSOR: (Inaudible).

MR. PECKFORD: Yes, as long as it qualifies that I am conjecturing the hon. member for Fogo then I have no -

AN HON. MEMBER: A substantial amount in Happy Valley?

MR. PECKFORD: A substantial amount in Happy Valley, yes. Right, yes, a substantial amount.

Now another point, and this is all to indicate, Mr. Speaker, as I did in my written text which was passed on to the media and the press, this is all to indicate that those people who try to contend that this government is a government of no action, of inaction are totally false. They are putting their head in the sand, they are being like ostriches in not trying to recognize and to give credit where credit is due. Hence, I have been on my feet now, I do not know how long but long enough perhaps as most of you will say but in each instance, and if we could take a vote if we were in the court of law and someone approved this, in each instance I am talking about actual things and policies and programmes that this government has tried to bring in in the last twelve, thirteen or fourteen months to help make this economy go ahead, to help give the people of this province a new confidence. I have been -

MR. WINSOR: (Inaudible).

MR. PECKFORD: Look the hon. member for Fogo, I do not like to put you among the handicapped, Sir, but I think you need something to help you hear because you have not heard me for the last hour and I feel very sorry for

you, Sir, and I must say so in all seriousness that I feel very sorry for you. I would be happy, Mr. Speaker, tonight for three or four hours to sit down with the hon. member for Fogo and to outline in specific, minute detail just exactly what this government has done in the last twelve months.

MR. WINSOR: (Inaudible).

MR. PECKFORD: Well, whenever you are available, Sir, I will be available and there will be no hesitation on my part in explaining to you what this government has been doing, is doing and will continue to do.

There are many other points, Mr. Speaker, that one could bring out. The conflict of interest legislation which has been the bone of contention for years in and out of this House. The thing that must be done here, Mr. Speaker, on conflict of interest, I think right now that I would say, here we are conjecturing again, that a large segment of the population of Newfoundland who read the papers and listen to their radios are confused as to what conflict of interest really means. I herald the day that this House, that this government brings in a definition and legislation concerning conflict of interest because I am sure it has been bandying it about now for months and I think there are a lot of people here now it seems, I get the feeling that almost anything an hon. member would do on either side of the House,now I am talking about in business or anything outside the normal day-to-day activities of a member,that he is into a conflict of interest situation. I think we are at that stage that people are all alerted and tuned up for this business of conflict of interest and they have heard so much about direct politics right across the nation, right across the continent, right across the world that now when a member moves at all to do anything which is totally legitimate, which is totally authentic, which is totally genuine he is accused by the less informed that he has now been in a conflict of interest situation,"resign your seat, get out of politics you are only a dirty man

and you have no business being there," when this is not in fact the case.

I welcome in the Speech from the Throne, Mr. Speaker, the mentior of bringing in a number of pieces of consumer legislation. As I mentioned in my prepared text,I was most concerned and this is one thing, if I can come back to it again for just a second, that disturbes a lot of the mothers and breadwinners of this province and that is the prices of food especially have gone helter-skelter, absolutely skyrocket and I do not know, I doubt whether any House of Commons Committee to look into the situation is going to do much to rectify the situation. Something more tangible and more concrete must come out of Ottawa to help solve this price situation. Just about every item of food, I hear it every day from my constituents and from people around town, I have heard it many times expressed and they say, "Why do you not say something about the prices. I went to the supermarket yesterday and got a quart of milk or got something and it cost me thirty-six cents and I went back the next week and it cost me forty cents or even more."

The other thing that disturbs me about this and I do not know, Mr. Speaker, whether anything every can be done about it but the regional disparity in prices from one small town to another town is absolutely tremendous. I have gone to stores in my district in South Brook, Halls Bay and picked up one item of groceries and I have gone down to Springdale and picked up the same idential item and there has been a difference of eight and nine cents. That is regional price inequality that somebody is making a fortune out of and I say it simply to pacify, if you want, to satisfy those people, many, in the tens anyway, twenty or thirty people who have mentioned to me over the last year, "What are you going to do about prices?" That is a great question for a constituent to ask a member, "What are you going to do about prices?" and I try to explain the various levels of reponsibility and so on in such matters. But it is a very touchy and sensitive area for especially mothers many of whom

pick up the groceries and so on, this business of prices. As I said in my prepared text, what is the sense of this group of employees or that group of employees going on strike for an extended period of time to get a wage hike of six or ten cents an hour when as soon as they finish the strike, and never get their money back, they are never ahead on that on strikes, they are never ahead on that, they turn around and the price of such and such is gone up another four or five cents which leaves them in exactly the same boat they were before they started their whole labour dispute.

It is an unfortunate situation. It is a situation truly that is of modern design, it is one that all the more western nations of the world have and I do not know what the answer is. I simply echo the concern of many people whom I have talked to about this price spiralling situation.

Also, Mr. Speaker, one of the things that disturbed me and many people like me in the last ten years was this business of liquor licensing and so on. I think it is a fair statement to make that in the past there were many abuses of this system and that is putting it as clearly and as comfortably as I can put it that the government and the members had a firm grip and control over the issuing of beer license agents and licensed bars and whatever around this province. This, Mr. Speaker, I trust from the mention of it in the Speech from the Throne about an independent liquor licensing board will be finished once and for all. I for one, as a member of the hon. House of Assembly of Newfoundland and Labrador, do not want to have anything to do with anybody's liquor license in Green Bay or in any other part of this province. I think it is distasteful and I do not want to have anything to do with it. If he meets all the regulations set up by an independent board he should get his license regardless whether he is red, pink, black, yellow or whatever and that there should be no other qualification

thereto. I am pleased to see that we have this independent liquor licensing board. The hon. Minister of Finance I suppose will bring in legislation or whatever on it, in the upcoming weeks in this session of the House hopefully, because

I do not think anybody who has followed politics in the last five, ten years in Newfoundland could argue with those statements with any degree of validity, because I think in many cases it can be proved with actual facts. Hopefully that day is over and hopefully it will never happen again; that this business of liquor licensing and so on will be handled independently. It is very distaste and perhaps enough said on it.

As far as my own District of Green Bay is concerned, Mr. Speaker, as all other rural districts of the province, Green Bay District is unlike others. It is not unlike others. It needs greater road connections, better road connections. It needs water and sewerage systems and Mr. Speaker, it even needs in a couple areas of Green Bay, telephone systems. I thought I knew Green Bay District pretty well after I was elected there last March, but I was not aware that in two communities that are on Sunday Cove Island, that they only have one mobile phone unit and since then, Mr. Speaker, I have made representations on their behalf to have phone systems set up, which really does not enter into it too much here.

As I mentioned in my prepared text, Mr. Speaker, I think this province is going to flourish and be great. It is going to proceed on into the future in a progressive way if we grapple with the main things, not the nitty nit picking things that we have seen over the last three or four months, or two or three weeks. If we honestly and sincerely grapple with the problems of agriculture, if we sincerely and honestly grapple with the problems of mining and forestry and tourism and energy, these are the things that count and the policies and programmes that a given government brings in in these fields or avenues will determine whether that government is a good government or a bad government. It will not be whether the licence plate is blue, pink yellow, or anything else, it is a very minor and insignificant point, what

will count is how we proceed on our main resources, on those sectors of the economy on which we must depend more than any others, and fishing of course, perhaps I left it out there then.

I think, as I mentioned in my prepared text, there might be something to be said in certain parts of Newfoundland for further development of our inshore fishery. I do not know. But it is worth a look at. There are certain areas of the province, because I have had the opportunity over the last ten years to be all over the province, and lived in many parts of the province, to see that the inshore fishery is not going to be a success in certain areas. I can see that perhaps in other areas it might be. I know from my own area of Green Bay for instance, Green Bay Proper and Halls Bay, tht there might be something to be said for having, and I have already mentioned and talked about this at some length with the Minister of Fisheries, there might be something said in a number of areas, well identified, well research for starting up from small to medium size fish processing unit, which would process at given times of the years, at given times of the year, the various species of fish that might be found there. For instance, a fishing berth, employing fifteen or twenty people, which could in the spring start off with salmon and process it and then when the cod and haddock and flounder come on, with about forty or fifty fishermen feeding it, getting into that. Then the lobster, getting into that, and the crabs and the scallops and the shrimp and what ever is there. Once you have determined what is there then build your complex or your medium size fish processing plant in line with that. I think there might be, I am not saying there is I do not know, there might be something to be said for a number of areas of the province like that where you have identified a sufficient fishery resource of various species to build some kind of a, not necessarily the government, it could be through entrepreneurs

or whatever, of businessmen in the area who would want to get into it once they knew it was going to be a fairly successful thing. Perhaps through some assistance loan programme, they could get the money from there.

I think there is something that could be looked at. But we should never lose sight of the fact when we try to grapple to our old ways that perhaps, as has already been announced by this government, that we must also go ahead at the same time and get into the mainstream of the fishing industry, that we must realize that we have to have bigger boats, that we have to go, as it were, after the fish and that we have to have these sixty-five foot experimental boats to do the very thing I was talking about on small and medium size fishing facilities, to determine where the fish are and what should be done. At one and the same time we could go ahead on both fronts to some degree and this is happening right now, as I mentioned in the prepared text, because we are supporting the fisheries loan programme - and so on in all these areas.

Mr. Speaker, before I sit down for the afternoon -

MR. NEARY: Here, here.

MR. PECKFORD: We got you now. We got you now, have we not? There is no question about that. You like to hear your ownself speak for hours, let somebody else get up for an hour, get him to sit down. Here it does not work, Mr. Speaker, here it does not work. I am able for the honourable member for Bell Island. Make no question about that, any time.

Mr. Speaker, one last point that has, outside the Speech from the Throne and so on, that has taken up some concern of the media and the press lately and that is, and that I would like to have a comment on here, simply the role of the backbencher in this government or any other government.

Mr. Speaker, if a member of this House has the knowledge and the energy and the intelligence and everything else that goes with it, he as a backbencher can have a tremendous influence upon policy in this government. That goes for people on the other side as well, if they want to really exert their influence in going to see the various ministers and in other ways in this House. We have a responsibility as bills come in to research the work that is done on that bill and to stand up and say what we think of it. I think a lot of the superficial, really, criticism that has been made, that a backbencher just goes in and as the word suggests, just to sit down and "back" up the bench so to speak and do nothing more, nothing could be farther from the truth, my brief experience in politics, twelve months or whatever, that I have learned. I can easily, not prove it but make a logical case out of it, I have learned if a person, if a member does his homework and wants to represent his district well he can influence policy. He can do every one of those things as a backbencher. There is no question, no question whatsoever in my mind that this can be done.

The ministers are there. The different departments are there. You can write them or set up appointments with them and go in and discuss the various policy of fishery or agriculture or so on. So Mr. Speaker, I think I have spoken long enough to indicate that without one shadow of a doubt this government is a government of action from the various things I have mentioned right down through and that we will continue in the next twelve months to proceed with those policies and programmes that are mentioned here in the Speech from the Throne. I look forward to working with the various ministers and members here to make sure this province goes ahead even better this coming year than it has in the past. Thank you very much.

MR. P.S. THOMS: Mr. Speaker, I wish to adjourn this debate.

MR. SPEAKER: It has been moved and seconded that the debate be adjourned. Carried.

MR. NEARY: Mr. Speaker, by leave of the House could I revert back to Order of the Day.

MR. SPEAKER: The honourable member has leave.

MR. NEARY: Mr. Speaker, after checking with Hansard, although I find that the Premier's reply to my questions, in my opinion, was sort of vague, I withdraw the statement that he deliberately misled the House. I might say, Mr. Speaker, by the way of the information in the House that the honourable's Premier's interpretation of bargaining in good faith and mine were two entirely different matters. I think what the union means in their letter and I checked this with the representative of the United Steel Workers of America who happened to be sitting in the gallery, I think what they are really after is to get somebody in Buchans, whether it is the manager there, Mr. Hart, or

some other official of the company who can make on the spot decisions during the contract negotiations that are going on between the union and the company. I just mention that for clarification, Mr. Speaker.

MR. F.D.MOORES: Mr. speaker, I would like to thank the honourable member for the retraction of his remarks. That interpretation was not clear in the letter. It will be followed through on that basis.

Motion, second reading of a bill; "An Act Further to Amend The Assignment Of Book Debts Act." (No. 17).

HON. T.A.HICKMAN (Minister of Justice): This is simply a routine bill that should be read in conjunction with another bill that is before the House, bill No. 13, "An Act Further To Amend The Companies Act." If it is the pleasure of the House, when the next bill is called I think I can give a meaningful dissertation on it, so I simply move second reading of it.

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

Motion, second reading of a bill; "An Act Further To Amend The Companies Act." (No. 13)

MR. NEARY: Mr. Speaker, before the Minister of Justice introduces that bill, I wonder if the House Leader could give us some indication of what bills he is going to call today, because my absent colleagues would like to comment on some of these bills. Could I have a run down?

MR. MARSHALL: Mr. Speaker, generally speaking I should like to say perhaps routine bills. But we do not regard any of our legislation as being routine but greatly of substance. However, what we will be doing, we will be calling orders - well perhaps for the opposition I could give them the orders that we are calling. Orders three, four, five, six (not necessarily in this order) seven, eight, twelve, fifteen, seventeen and twenty.

I call these, Mr. Speaker, because all of these with the exception of two which are very, very routine I would imagine, like the "Quieting of Titles Act," the honourable Minister of Justice can explain purely and simply, an amendment of form rather than of substance. All of these, the bills, have been distributed two or three days before and I do not think that they have any, you know, that they will be particularly contentious.

MR. HICKMAN: Mr. Speaker, this bill to amend the Companies Act, firstly, and this is set forth very clearly in the explanatory notes, the provision under the Companies Act has been that any person requesting a copy of a memorandum of association filed with the registrar of companies and the articles, which is a very voluminous thing to get for twenty-five cents, this is way below the cost of producing this and the amendment simply changes twenty-five cents to five dollars.

The other part which ties in with the Assignment of Book Debts Act, provides that any company doing business in Newfoundland, a foreign company, and this has been the law for quite some time, that carrying on business in Newfoundland they are required to register under the foreign companies section. The amendment is to provide that any company taking a chosen action or an assignment, that too constitutes carrying on business and they must comply with the laws of the province. This does not apply as the honourable House will see to the penalty provision to a Dominion company. I move second reading.

MR. RONERTS: Mr. Speaker, as the honourable gentleman said, it is fairly straightforward and essentially a technical matter. Really, the only question that I would ask and it is a fairly broad question, but I think it arises out of the bill: Our Companies Act I believe is now about the oldest in Canada. Indeed I am told that it is modelled directly on the English Companies Act of 1862, which was the original Companies Act in the whole world. At least the companies as we know

them in our jurisprudential concepts. The English Act has been amended many, many times and improved substantially. Indeed I am told, Mr. Speaker, that the present English Companies Legislation which is in more than one act,of course, is among the best in the world. There are different theories on companies, but following the English line of jurisprudence, it is probably the best.

Ours still goes on. It was like the situation we had with divorce laws in Canada, where Canada assumed the English Divorce Law as of 1857 I believe, and we inherited that in Canada and we had it until 1968 when the present Divorce Act became the law. Meanwhile, the English had gone on and amended their act many, many times and we had been left behind.

I wonder if the minister in closing what obviously is going to be a lengthy debate, a number of learned members may choose to enter into it, but if the minister could indicate whether any thought has been given to a complete revamping of the Companies Act. It is a pretty important piece of legislation, Mr. Speaker, because, I do not know what percentage of the business is done in Newfoundland but surely, the greater part and perhaps almost all of the business being done in this province these days is being done through incorporated bodies, by companies. Surely the age of a man trading in his own account or even trading as a partnership is almost gone.

Lawyers practice as partnerships, accountants practice as partnerships, doctors practice either as individuals or as partnerships. In each case it is our professional bodies as part of our canons of practice that say we shall practice as such. Surely almost all the business now being done in Newfoundland is being done by incorporated bodies and the Companies Act is the basic legislation, unless the company be incorporated federally. But we are talking about Newfoundland conpanies, that is many of the companies doing business here.

We are doing business under an act that is at least a century old. In many places it is outdated. I would like to see these preferred shares ended. I have always been unhappy about them. I think the people who buy them are often of the impression that these preferred shares are what amounts to bonds and that their interest comes, you know, ranks fairly high in the dispersement of a company's revenue, profits for the year. In actual fact they are shares and the income, the interest rate on them maybe preferred to the common shares, the interest rate on them is preferred only far down on the list. Many companies have used these. I do not mind saying that some of the companies my father has promoted have used these and they are now refinancing one of them. The Battery is, they are doing the right thing in my view, changing the preferred shares into bonds with all of the consequent changes.

I think that is an area where our law is defective. These preferred shares; many, many companies have been setup on them. They are perfectly proper, but I do think perhaps they should be a little more stringently policed. There are a number other areas of the Companies Act and learned gentleman who practice, (while I am officially a learned gentleman I never practiced law in this province or any other) may be able to add a great deal to it. I do think the time has come when we might have a look at companies legislation. It is not controversial, it is not the sort of thing that election speeches are made about, it is not the sort of thing really that in the normal course of events the government are able to devote a great deal of time to.

It may be that the minister could set up a committee with one of his own officials, some representatives of something like the Board of Trade or the Chamber of Commerce who have an interest in it, or perhaps some of the representatives from the legal profession and any other interested bodies, to have a look at it.

The new Ontario act is very good. They have updated their legislation in the last two or three years. Maybe the time has come. Now that is a long speech on an act further to amend the Companies Act, but it is about the Companies Act, not so much about really quite minor things, the sort of thing that Mr. Austin Parsons turns out so capably and so voluminously and that are essential to the business of the province even though they may not get the headlines.

From our side we have caucused and debated it at length and I think we are prepared to support the amendment at least in second reading. We may have some amendments at committee stage or one thing or another, but a little more seriously

Mr. Roberts.

if the minister could indicate whether any thought has been given to a complete revamping of the Companies Act and the other legislation, the Securities Act and what have you,under which businesses do business in this province.

MR. HICKMAN: Mr. Speaker, on the Companies Act, three or four years ago, there was a draft Companies Act prepared, following the recommendations of the uniformity of legislation commissioners. That act for some reason (It was more than three or four years ago. It was in the early sixties) was rejected by pretty well every association to whom it was referred. I have long since come to the conclusion, not long since, but I have certainly come to the conclusion that not only do we need a new Companies Act, which is going to be a pretty massive piece of draftsmanship - the new act in Ontario went to the Ontario Law Reform Commission and my recollection is that from the time they were given the task of coming up with a new Companies Act until they finally produced it for second reading in the Legislature was something like two or three years. The Ontario Law Reform Commission has a very large staff of legislative draftsmen and researchers at their disposal. Sometimes we have been inclined to take the legislation from other provinces and say, if Ontario now has a satisfactory act, we should. This does not necessarily follow, Mr. Speaker. My intention is that as soon as we find some additional legislative draftsmen to assist Mr. Austin Parsons and hopefully this will be within the next couple of months, that there are several, what I would call, commercial acts that need not revision, but replacement to repeal the existing legislation: (1) the Companies Act, another is the Securities Act and I think that we are very much in need of a new Securities Act in this province. I suppose you can go the whole gambit of the registration of deeds as well as companies.

This certainly is under advisement and under consideration as far

Mr. Hickman.

as I am concerned and with a bit of luck, I will not say it will be before the next session of the House but certainly it will be sometime during the Thirty-Sixth General Assembly.

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

Motion second reading of a bill, "An Act To Amend The St. Clare's Mercy Hospital (Incorporation) Act, 1960."

DR. A. T. ROWE: The purpose of this bill is to amend the St. Clare's Mercy Hospital Act. There are two points: One is to broaden the membership on the board of directors at the hospital by including within the new board representative government of the univeristy of the city and have provincial representation. The amendment also provides for ex officio membership for the appointment of filling a vacancy to the board for the terms allotted. I would point out that the incorporation of the hospital took place by the act of 1960 and at this time effected with the university the necessary affiliation. With the expansion of the hospital it is necessary that the act be amended to broaden the board as I have explained.

In addition, there is a section in the act which exempts board members from personal liability. I do not guess it was covered in other acts but they wish it inserted here. I think these are the two main points in the act to be amended .

MR. ROBERTS: Mr. Speaker, from this side of the House, all of us over here will support the bill. As the minister outlined it, it is a very straightforward piece of legislation and in a sense what the house is being asked to do is to facilitate the organization of a private hospital and a very good private hospital it is. The St. Clare's and the Grace were (I think it is now officially the Grace General Hospital)

Mr. Roberts.

not the first hospitals in Newfoundland. The General Hospital is the oldest hospital we have. I think it is fair to say that both the Grace or the Grace General (It will always be called the Grace Hospital) and St. Clare's, without them, the development of medicine, the development of hospital care would be far behind where it is now. They have been very much to the forefront over the years. I have no doubt that they will always continue to be so. Certainly, we would hope that that is so.

The only question I would ask of this - I notice with some interest that the Minister of Health has carried through and indeed within the past day or two announced the board of management at the Channel Hospital. I was very glad to see it completed. It did take a while but these things do. This began - I am not sure at what point during my tenure as Minister of Health but certainly while I was Minister of Health the matter came up. It came up rather dramatically one night. I went to bed at midnight with the news that all four of the doctors on staff at the hospital submitted their resignations which in fact they had and by the next morning they were all back at work. The problem had been resolved that caused the resignation. There had been considerable difficulty at that hospital over the years. It became obvious that a board was the answer. The minister carried on a policy which really has been in effect, I suppose, for the past ten or twelve years. It was culminated in a legislative sense in the Hospital's Act a couple of years ago, which has not yet been proclaimed I noticed but presumably is being worked out. I assume it is the policy of the present administration to carry through with that. I wonder if the minister could tell us a little about where we stand. The Gander Hospital is to be placed under a board of management and so it should be. The Hospital for Mental and Nervous Diseases is to be placed under a board

Mr. Roberts.

of management and indeed I believe the chairman of it, Mr. Jack Pratt has been appointed. Others may have been appointed but Mr. Pratt's name has been announced.

I wonder if the minister could indicate what other hospitals might be under this. I do not intend to start a long debate on it now. It is one of the points which on the minister's estimates, I hope we will go into it at some length. But this might be an appropriate place to do it. I do not think it is stretching the principle of this bill too far. It may be stretching it somewhat but principles in bills and perhaps elsewhere, but certainly in bills do tend to be elastic, sometimes a little more than elastic I fear. But if the minister could indicate where we are - it is an important thing and this is an implementation of the principle. The Governor in Council, the Government of the Province now have the right to appoint a member to the St. Clare's Board. They did not have the right before. I think it is a good thing that the government are represented on it. The university, of course - the hospital is a teaching hospital, affiliated with the university, and that is why they have the representation and again so they should. We are getting more and more towards the system in this province where the hospitals are operated by bodies set up to operate the hospitals and so it should be. The government's role is less that of running hospitals and more that of supervising them, of the planning, of the development, of maintenance of standards and of the general co-ordination of the system. That is well and good, the way it should be. I wonder if the minister could tell us in reply, (other honourable members may choose to speak) if he could indicate to us where we are going on hospitals, when may we expect to see Gander become under a board? What is his thinking on the H.M.N.D., Waterford Bridge Road? By the way, can we rename it? It has been talked

Mr. Roberts.

about all these years but it really should be renamed. I rather like the tradition of naming our hospitals after prominent medical people, the Roddick Hospital in Stephenville. The Western Memorial, that name has meaning in Corner Brook. There are surely pioneer doctors in Corner Brook after whom a hospital might quite properly be named. Indeed the hall, of course, is named after Dr. Monahan. The Curtis Hospital in St. Anthony

the Doctor Templeman hospital, indeed that was named when 'Temp' was still alive and I know what he was told. Mr. Smallwood rang him and asked permission and 'Temp' said, "it is a little like having your own obituary read to you," because he was very sick at the time and he had been sick for a while.

The Paton Hospital named after the father of Dr. Tony Paton and Dr. Harry Paton and there may be others but it is the tradition that I like and I think we should incourage

The Jackman Hospital in Labrador West is not named after a doctor it is named after a sea captain. He would have been from Harbour Main, I guess, with a name like Jackman or maybe the Southern Shore, Renews somewhere but a man who saved twenty or twenty-five person's lives in a storm down on the Southern Coast of Labrador a number of years ago. Maybe the H.M. and the other mental could be renamed, maybe Dr. Cluny MacPherson's name could be placed on that, as a suggestion.

The bill itself is, of course, completely unobjectionable and we are glad to be able to support it but I would be interested if the minister could talk for a few minutes on these other points.

MR. FINTAN J. AYLWARD: I would just like to take this opportunity of paying a tribute to the great work done by the Sisters of Mercy and I think since the instituation of St. Clare's Mercy Hospital and the great extention of the services shows really what an organization dedicated to the curing of the sick and the suffering can be carried out by such organizations as the Sisters of Mercy. I think anyone that has had occasion over the years to have been hospitalized or who have had occasion to visit the patients hospitalized there, was very impressed with the high standard of care rendered by the staff and the Sisters of Mercy in charge of that hospital.

I think they have done a great deal for the people in the province in the field of education and as I said here in a previous

debate, I think the people of the outport — I was a beneficiary of it myself. I owe these Sisters of Mercy a great deal because they have brought a lot of culture to the outports of Newfoundland and many, many of the members, on both sides of this House, I am sure, have been benefactors of their great service.

The work at St. Clare's Mercy Hospital I think has been exemplary and the great expansion of that hospital in the past few years is again a great tribute to the leadership of the Archbishop and the members of the Hierarchy and as I say, I would just like to avail of this opportunity to express I am sure the gratitude of all members for the great contributions which have been made to the health of the people of the province.

Also, I am very pleased to see in this particular bill that the constitution of this board is not really under control by the Lieutenant Governor-in-Council but by the, it would appear, designated by the act, the Mother General, the Archbishop and it makes provision for appointment and designation to certain members. I think this is excellent and I like, in particular that section which provides that the chariman of the board shall be appointed by the Archbishop and the Mother General of the Congregation of the Sisters of Mercy.

I think it is only fair that if the congregation of the Sisters of Mercy and the Archbishop of these people are directly concerned with the administration of that hospital that they should certainly have that right. I was under the impression, probably wrongly so, that there was one act covering the appointment or constitution of all boards. Is this a departure now? Oh, I see. Well, I am very, very pleased to see that undoubtedly this has the consent of the existing board at St. Clare's and they requested it. So, I am very, very pleased to identify myself with this and support the bill and as I said, take the opportunity to thank both the clergy and the sisters for their great work.

MR. S. NEARY: Mr. Speaker, I would just like to take a moment to concur with what the hon. member for Placentia East has just said about St. Clare's Mercy Hospital. I have more than just a passing interest in the place myself. My wife happens to be a graduate of St. Clare's but it is, they are doing a fantastic job, Sir, and it is a beautiful hospital. It is a credit to Newfoundland.

Now, Mr. Speaker, I understand that the patients at the old sanatorium chest diseases are to be moved to St. Clare's Mercy Hospital. The minister made a public announcement some time ago. I wonder if the minister could tell us if any have been moved, if the patients at the old sanatorium now are merely convalescent patients? And what would happen to the staff at the sanitarium? Will any of the staff move to St. Clare's when the patients with chest diseases are moved in?

DR. A. T. ROWE: I would be happy to refer to some of the items mentioned by the hon. Leader of the Opposition. First of all with regard to board operated hospitals. Following the recomendation of the Brain Report back in 1965-1966 when he suggested or indicated or recommended that government should relieve itself, as far as possible, from day to day operation of hospitals. I think this is a very worth-while recommendation, one which personally, I am very much in favour, having been on the medical staff of a board-operated hospital for the past fifteen or twenty years. From the point of view of those that have been done in the time since I came in, you will remember the Buchans Hospital is now operating under the board of Mr. Bartlett. There is some difficulty there. It was not a government hospital as the hon. leader is well aware and there was difficulty in the premises belonging to the American Smelting and Mining Company. In fact the government had to have some specific authority in which to order a board to operate it and this has not yet been finally negotiated, We do have the authority to have board operate it but we have not sort

of fully negotiated the final papers. As far as Channel is concerned, I am aware that there has been some ministerial procrastination, perhaps of some political ineptitude in many directions. However, I was concerned about the point spoken of, the lack of medical stability in Channel, which was of very considrable concern to us last spring, and there was a similar episode of a mass resignation. I am very glad to say now that we do have medical stability in Channel and I wish the board every success.

As far as the Hospital for Mental and Nervous Diseases is concerned, you may remember in the estimates introduced last year that I intimated the need to change the name. I felt that there was still a question of stigma attached to being a patient within that hospital and the board has been appointed, the name of the chairman, Mr. Pratt, has been publicly announced and at the moment we are in the process of preparing a release on the names of other persons who have just far been appointed. This board is now about to begin operation. I think one of the items, which is high on their list for consideration is the possibility of the change of the name of the hospital.

MR ROBERTS: Will that be up to the board?

DR ROWE: They will undoubtedly have some recommendation to make with regard to the name. I would assume that we will be receiving their ideas before a decision is made.

I think the mental hospital is a very important institution, as I said before publicly, as far as I am concerned. We were not able to go ahead last year. I fervently hope that the necessary services will be upgraded in the near future with the beginning of the extension service in certain other mental health.

MR ROBERTS: Is it the intention to go ahead this year?

DR ROWE: Well, I would say that my fervant hope - I mean, everybody agrees -

MR NEARY: However, the important thing is the patients are in the mental hospital - it is a very humane aspect of the mental hospital, which concerns me greatly, and I am very happy to know that the board will direct the operation of

the fourth hospital is Gander and at the moment we are in process of appointing a chairman for the proposed board. And the answer to your question is; hopefully this board will be in operation within the next couple of months.

Now I have no immediate plan to introduce more boards as of the moment. We are considering certain other hospitals but when you think of the administrative involvement in turning a hospital over from government operation to a board operataion it is pretty considerable, appointing a new administration, the question of purchasing, the question of payroll, the question of medical staff and all these things take a good deal of time to implement when you are changing over from government system to a board operated system. I anticipate that for the next few months the administrative people within the Department of Health for whom I have great regard will have considerable difficulty in getting all of the details attended to, so I would not wish them to have to provide the modus operandi for any more than they can adequately handle at the moment. But I would hope that in the next year there will be at least two or three others that we will provisionally say, you are ripe for a board operation.

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. Well that is a question for the International Grenfell Association. I think we would have to say that the International Grenfell Association can run a very ideal medical services. I think it would be true to say that the government could not at this time perform the work in the area that the IGA are doing. The people there must have a great gratitude for the service they are operating. They can manage to recruit doctors. They can manage to recruit nurses. They can manage to run the operation in isolation which government at the moment would have great difficulty in probably trying to do as effectively.

But your question of the Paddon Memorial Hospital is under the aegis of IGA. I do not think it wishes me to speak for IGA or the destination of any part of their present operation.

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. Oh I think we are very happy. I have spoken with Dr. Thomas quite recently about this - what he calls a local management committee of sitting down and having talks and liaison with him and his organization regarding certain matters in the operation of the hospital, this is not in the true sense of a board-operated hospital. It is a community -

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. The number of the community people who are involved in discussions with him regarding principles in the operation of the hospital.

Now on the question of the Sanatorium, the estimated time at the moment is to move the patients out during March, hopefully it will be completely by the end of March. The patients, no they are not convalescent, the patients are active tuberculous patients being treated in the approved medical way. There are some convalescent orthopedic cases. They will be moved as well.

Now on the question of staff - a great consideration is being given to - there will be a certain number moved to St. Clare's, a number of others will be transferred into other operations. At the present time the department is working with me on the numbers that will be -

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. Despite. I do not think there will be very many but I would not like to go on a recorded statement today and say how many but I am told that the vast majority of them will be well looked after. I can pull the figure out of the air of the number of employees, but I do not wish to give the figures because they can operate in two directions, for me or against me.

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. Pardon me.

AN HON. MEMBER: A few may lose their jobs.

MR. ROWE, A.T. There may be a few, but I would not like to say they will lose their jobs. Every effort is being made as I have stated to ensure that people who are ousted because of the move will be offered other alternate employment. Some of them may not wish to take the employment offered but I think our responsibility is to ensure as far as possible that other employment is offered.

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. Well that is a question for my colleague, the honourable Minister of Public Works.

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. Pardon me.

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. Pubic Works are responsible for building, in my understanding of it.

AN HON. MEMBER: Inaudible.

MR. ROWE, A.T. Pardon me. Public Works, is it not.

Well as far as St. Clare's is concerned I too would add my congratulations to the work that this hospital has performed down through the years. I feel that with the recent improvements and extension to the hospital this is equivalent to anything in the North America Continent. I have plesure, Mr. Speaker, in moving second reading of this bill.

On motion a bill, " An Act To Amend The St. Clare's Mercy Hospital Corporation Act, 1960", read a second time, ordered referred to a committee of the whole House, presently.

Motion second reading of a bill, "An Act To Amend The Employment (Notice Of Termination) Act, 1969."

MR. W. MARSHALL: Mr. Speaker, in the absence of the honourable Minister of Manpower, this is a simple bill in form but a bill which will have beneficial consequences. It is a bill, Mr. Speaker, to extend the time when an employee may take an action against an employer under the Employment

Notice of Termination Act. At the present time the statutory limit is six months. If the action is not taken by that time the right of action is lost.

The purpose of this bill is to extend the time within which an action may be taken to two years. It is then to extend it by eighteen months. The reason for this, Mr. Speaker, as I have already indicated, is that sometimes employees are not aware of the rights that they have under this particular act and by the time they become aware of their rights the time limit has gone. We feel that it should be extended. Then on the other hand, in all fairness to employers as well, some well-meaning employers from time to time have paid their employees inadvertently too little and the matter is investigated and then by the time it is investigated sometimes they have about two or three weeks within which to bring action and they have to put the employer to the position of taking an action against, on behalf of the employees, against

the employer where that employer had an opportunity to look into it for a reasonable period of time and would pay it without the embarrassment of the court action. So it is principally, Mr. Speaker, to protect the employees and to give the employees the rights, to extent the rights of the employees in the effort to maintain and to increase the level of co-operation between management and labour.

So I have much pleasure, Mr. Speaker, in moving second reading of this beneficial piece of legislation.

MR. NEARY: Mr. Speaker, I have no real objection to this amendment. I think that probably two years is a little bit too long. I think it should be extended probably from six months to one year. I think one of the big problems in that department, Mr. Speaker, at least when I was acting minister there in 1971 for almost the whole year of 1971, was carrying out investigations. There was not sufficient staff in the department to cope with the number of inquiries and investigations that had to be carried out not only under the Notice of Termination of Employment Act but under the Minimum Wage Act and all the acts that have to be enforced by that department. Now I do not know whether the situation has changed in the last year or so, whether treasury board has given the Department of Labour more staff, more inspectors but they certainly needed them and I could never get treasury board to give us any more staff. I think I did manage to get one or two maybe in December of 1971 but they were certainly needed. The staff were overworked and they were compelled to do a lot of travelling because this is the kind of work which is involved where they have to travel all over the province, both the Island of Newfoundland and in Labrador, to check employers records and to interview people who make complaints, witnesses and so forth and then there maybe court work as a result of the investigation or the complaint.

So all this took considerable time, Mr. Speaker, and there were times when even some of the conciliation officers I think were

compelled to do some of the investigations or vice versa. Some of the people who should have been on the road inspecting employers books for minimum wages and so forth had to go out and do conciliation work. Perhaps the former Minister of Labour could tell us whether this situation has changed or not. The minister who gave second reading to the bill really did not convince me that the period would have to be extended for two years. I think one year would be quite sufficient, Mr. Speaker, and perhaps the minister when he is closing the debate can tell us if this is really necessary to jump from six months to two years. Why not go from six months to twelve months?

I might say, Sir, that the Notice of Termination Act,if there is a violation of it the aggrieved person wants to have it cleared up as quickly as possible because there maybe some retroactive pay involved, there maybe some settlement that has to be made and everybody likes to get the money in their hands as quick as they can. If there is a violation of the act, Sir, if it is not detected in one year I doubt very much if anything would ever be done about it unless the employer is down behind the Iron Curtain somewhere. So I really believe, Sir, that if the period has to be

MR. NEARY: extended. I think it should be extended from say, six months to one year.

MR. MARSHALL: Mr. Speaker, I rise in trepidation because I do not want to destroy the air of milk and honey that prevails in this assembly this afternoon, but to say that I never thought that I would see the day when the honourable the member for Bell Island would come to the stage of recommending at a beneficial piece of legislation for the employers and labourers of this province, where we are extending their rights four times over and he now recommends that we just merely double their rights.

The fact of the matter is, Mr. Speaker, that as he mentioned, sometimes the employees of the Department of Labour have to go to far-reaching places. Confederation Building is a long way away from the communities in Labrador, for example, although not quite so long as they had been in the past, but they are a long ways away. You have very complex situations that arise from time to time. The fact that we are extending it two years does not in any way mean that the workers, the employees themselves, that it is going to take a longer time to settle the claims. Because if there is one thing this government has done and it certainly has done since its tenure of office many things, but under the aegis of the former minister and the present minister it proceeds with very due dispatch with respect to complaints of this nature and we will continue on to prosecute these claims and to bring these claims to fruition as soon as possible.

So the fact of the matter is, Mr. Speaker, that we feel that it is most necessary because sometimes it does occur that a period of five months and even very close to six months, sometimes a period has expired before the employee is aware of his rights. So we feel that two years is an ample projection of this time and we want to give, as I say, the optimum rights to the employees. So this is why we are

MR. MARSHALL: extending the time. We want to protect the employees for a two year period rather than to leave it open for the one year as the honourable member for Bell Island intimated. For these reasons, Mr. Speaker, I have much pleasure in moving second reading of the bill.

On motion a Bill, "An Act Further To Amend The Employment (Notice of Termination) Act, 1969," read a second time, ordered referred to a Committee of the Whole House presently.

Motion second reading of a Bill, "An Act To Amend The Protection Of Animals Act."

MR. MARSHALL: Mr. Speaker, this Bill was just circulated this afternoon but it is just merely and simply a very, very routine bill, merely changing the references in The Protection Of Animals Act, from the Society For The Protection Of Animals to the corporation that is known as The Society For The Prevention Of Cruelty To Animals, Newfoundland and Labrador.

It would appear that since the original act was enacted, that this society which had been an unincorporated society and has existed for a long period of time and done great work in this province has been

incorporated. So for the purpose of correct reference this change is made and I move second reading.

MR. NEARY: Mr. Speaker, I think I would agree with that amendment. One time I think it used to be called the Society for the Protection of Dumb Animals.

AN HON. MEMBER: Cruelty to animals.

MR. NEARY: SPCA. The Society for the Protection of Cruelty to Dumb Animals. The hon. Minister of Social Services is an expert on dumb animals.

MR. MURPHY: (Inaudible). Carry on.

MR. NEARY: So I am glad to be able to support this amendment. All it means is that the Society for the Protection of Animals will be now the Society for the -

AN HON. MEMBER: The word "Society."

MR. NEARY: That will be the new name, "The Society." Well I am all for it, Sir, and I would suggest that if they want to they can go down to Elizabeth Towers anytime and pick up a few members.

On motion, a bill, "An Act To Amend The Protection Of Animals Act," read a second time, ordered referred to a Committee of the Whole House, presently.

Motion, second reading of a bill, "An Act To Amend The Quieting Of Titles Act."

MR. HICKMAN: Mr. Speaker, the explanatory note sets forth very clearly what this act is designed to do. It simply is to give a judge of the Supreme Court on an application for a quieting of title the right to also order that a diagram be published along with the description

I move second reading.

MR. NEARY: Mr. Speaker, the Leader of the Opposition gave me the high sign from upstairs so we agree with this.

On motion, a bill, "An Act To Amend The Quieting of Titles Act,"

read a second time, ordered referred to a Committee of the Whole House, presently.

Motion, second reading of a bill, "An Act To Amend The Justices Act."

MR. HICKMAN: Mr. Speaker, again this is a very routine amendment by deleting the words, "And to the existing justices of the district." The explanatory note sets forth again very clearly what this is designed to do and it certainly is not an earth-shattering piece of legislation.

I move second reading.

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

Motion, second reading of a bill, "An Act To Amend The Family Courts Act."

MR. HICKMAN: Mr. Speaker, this is an administrative act only and it is to provide that in the absence of the family court judge that any magistrate has jurisdiction and this eliminates having to designate a particular magistrate.

I move second reading.

MR. NEARY: Mr. Speaker, there has always been a feeling here in this province since the family court was moved from the Department of Welfare I think it used to come under at one time that that was a little bit of a mistake that the family court really should come under the Department of Social Services and Rehabilitation or now the Department of Rehabilitation and Recreation. I think there is a bit of a stigma attached to the court the way it exists at the present time. I think that people more or less, it has a psychological effect, people more or less get the impression that they are criminals when they go into the family court. They have to go in sometimes where actually people that are shall I say charged under the code and I think this is wrong. Mr. Speaker, I think that the family court because all the counselling is done by the Department

of Social Services and I am firmly convinced myself that the, although this bill really does not deal with this aspect of it, it just amends the Family Courts Act to allow a magistrate or a judge to sit

MR. NEARY: in the absence of the Judge of the Family Court.

Nevertheless, Sir, I think that the minister should give serious consideration to transferring the family court over to the department, either Social Services, or to the Department of Rehabilitation. I do not think it has any place in the Justice Department. I think the honourable minister will probably agree with me on that. Did the Gushue Royal Commission not recommend - it did not recommend.

MR. MURPHY: Did they not reverse it?

MR. NEARY: No, no, it was in the Justice Department long before the Gushue Commission reported. It is something to think about, Mr. Speaker, and I would like to get the minister's views on this. I do not think it is really any place for it in the Justice Department.

MR. HICKMAN: Mr. Speaker, this whole subject matter that has been raised by the honourable member for Bell Island is presently before the joint Federal Provincial Corrections Committee. They will be addressing themselves not just to whether the family court should remain within the Department of Justice but also whether the whole correctional programme should come under the Department of Justice. I am told that one of the reasons why it has been in the Department of Social Assistance or the departments of welfare of the various provinces, because of some cost-sharing programme and they are concerned that the cost would not be cost-shared if say, other than welfare officers were doing the counselling. It has been discovered that this is not correct and I await with a great deal of interest the report of the commission, the joint federal-provincial commission on correctional facilities and correctional policies. This report, with a bit of luck, will be completed, the work should be completed by, let us say the end of April or the middle of May. They have already held hearings in Labrador and I think on the West Coast

MR. HICKMAN: they are going down to Grand Bank early March and they have been in Central Newfoundland.

If the report from this joint federal commission is as good as that received on similiar studies in other provinces, then I envisage a very marked change in correctional facilities in the foreseeable future. I move second reading.

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

Motion second reading of a Bill, "An Act Respecting Persons In An Intoxicated Condition In Public Places."

MR. HICKMAN: Mr. Speaker, this is not a routine bill, it is a marked departure from the law as it has presently existed. At least one other province, the Province of New Brunswick passed similiar legislation last year and the results of their bringing their legislation into force has been rather salutary indeed.

There is no need to go into the explanation, or an explanation of the various clauses in the bill, what the bill simply does is that it abolishes drunkenness as an offence. This does not mean as a provincial offence. It does not abolish for instance, I want this to be made abundantly clear, if someone is intoxicated and decides to destroy property or operate a motor vehicle or assault someone or commit any other crime, that obviously that person would have to answer under the provisions of the code. What it is designed to do is to take care of these tragic

figures that you sometimes see, particularly the person who has had too much to drink. How often have we seen someone, you know, asleep on the sidewalk, he is doing no one any harm. The police come along and pick him up, lock him up, the next morning he has to appear in court, if he can find five dollars he pays it and if he cannot someone else gives him the five dollars to pay the fine. The courts were never intended to deal with that kind of offence.

What it means now is that the police or any peace officer will have the authority upon finding a person in that condition to bring them in and to use a colloquialism, dry them out and when they are satisfied that they can take care of themselves and they will not endanger anyone or cause any damage to anyone, to let them go or alternatively if a member of the family or any other responsible person makes application to take them away and to look after them, they can be released without having to wait around and to stay in all night and appear in court and be treated in the same condition as someone who has committed an offence under the Criminal Code.

I think it is a change in philosophy. There is no question about that. It is a change that generated some apprehension in the Province of New Brunswick at the time it came in but those who were apprehensive at the time, their fears have now been eliminated or alleviated as I am told. Obviously finding a man five dollars for having a rough night is not going to rehabilitate him.

AN HON. MEMBER: Inaudible.

MR. HICKMAN: That is right. The very practical and honourable Minister of Industrial Development points out that the cost of keeping the gentleman might probably exceed the amount of the fine in any event.

There is also a provision there which gives any person the right after forty-eight hours, if he has been held in custody that long, to be released upon the authority of two peace officers or a magistrate or a duly qualified medical practitioner. So the protections are there and

it eliminates as I say a rather dark-ages type of philosophy and offence that had been enforced here until and will continue to be enforced unless this honourable House sees fit to pass this bill which I commend to all honourable members and have pleasure in moving second reading thereof.

MR. ROBERTS: Mr. Speaker, the principle of this bill I think is one which every member of the House would welcome. I think any of us who had any involvement in almost any facét of public life are familiar with the type of problem to which the honourable the minister has referred. I can remember being told when I was Minister of Welfare and occasionally while I was Minister of Health of people who had 160 or 170 or 200 arrests for drunkness. Tragic is the word the minister used and tragic is an accurate word. These poor people most of whom were ill, alcoholic and possibly other problems would be dragged into the police lock up over-night. They would be dragged before a magistrate in the morning and would be fined and the Minister of Economic Development, I assume to be the Minister of Industrial Development, indicated that this does not even cover the cost of their board.

This is a category of crime that - I understand that sometimes it is referred to as a "victimless crime". I realize that the Provincial House

cannot make crimes. That is a power reserved to the Parliament of Canada under the Constitution but we can create quasi-crimes and in statute after statute we do. Drunkenness, just the sheer act of being drunk in public is a victimless crime. The minister has stressed that the criminal code provisions needless to say are still in effect and if one get drunk and decide to beat up one's wife or to drive a motor vehicle or to do any of the other things that are against the criminal code or are forbidden under the criminal code then one still stands trial and pays the price.

So in that sense I think this is a step forward. However I do not know if I am going to be able to vote for this bill or not. I hope I can but I ask the minister to have a look at two provisions that I think are exceedingly dangerous. The first of them - both are in section four and they go to the principle of the bill, Mr. Speaker. Under this bill a person can be arrested if a peace officer thinks he is intoxicated. Now to begin with, that is a subjective matter. If a peace officer, a policeman or another peace officer thinks he is intoxicated that is subjective. There is no breathalizer test, there is no objective measure. No it says here where a peace officer, and if he is intoxicated and is a danger to himself, in the opinion of the peace officer, and there are a number of other things in section three, he can be arrested for up to forty-eight hours. I am not sure I like that. In addition he can be held in custody, Mr. Speaker, on a certificate of a duly qualified medical practitioner. When a person is taken into custody under section three the person having custody of him shall release him either, and I added the word either, it is not in the bill, but either on his recovering sufficient capacity to remove himself without danger to himself or others and without causing a nuisance, a subjective test in the eyes of the peace officer and a peace officer is a municipal peace officer or an RCM Policeman or a member of the Newfoundland Constabulary or if an

application is made sooner by a member of his family or any person who is nineteen or older, I am paraphrasing but it is accurate, who appears to be suitable and capable of taking charge of the person, into the charge of that applicant, again a subjective test.

In other words, Mr. Speaker, under that clause if a peace officer and that could include a municipal policeman in the Community of Pouch Cove if the Community of Pouch Cove or the Community of Englee or the Community of Boyd Arm or the community of anywhere chose to appoint a municipal policeman, he can be taken in and held in custody for forty-eight hours if in the opinion of that peace officer the man is a danger to himself. Now, Mr. Speaker, last year, two year ago I brought into this House a Mental Health Act, a good one and there was one clause in it that caused widespread criticism and upon reflection the government amended it. That Mental Health Act and the point which drew the criticism from many of the hon. gentlemen, certainly the hon. gentlemen opposite who were in the House at that time, said that a man could be taken into a Mental Hospital, a mental institution on the certificate of one medical practitioner and that was criticized. I was convinced by the arguments. We brought in amendments and the bill as it now stands, the Act provides it needs two medical practitioners, unless there would be only one available in which case that would do until the second one comes. Here, Mr. Speaker, not even a medical practitioner. There is a danger in this. I am sure the minister did not intend it indeed I think I would be prepared to say and I believe I am being fair he probably did not even realize it. This danger is here. It may never be used. This bill maybe an exact copy of New Brunswick Legislation or of Manitoba Legislation and there may never have been a problem but that is no cause for us.

I see a danger in it, Mr. Speaker. Under this bill if it became law a citizen of Lewisporte, if the council of Lewisporte, Your Honour, have appointed a municipal police officer and most councils have and more should,

Mr. Roberts.

sees the person who in his opinion (now the municipal police officer could himself be slightly under the weather Your Honour) is a danger to himself or a danger to others or causing a nuisance, whatever that may mean and the word "nuisance" in law has made many lawyers rich trying to define it. It is like the word, "reasonable cause." That municipal policeman can take that person into custody, arrest him by whatever name - with respect to my honourable friend' point, they have to put him somewhere. Until we have adequate facilities in our hospitals and in our medical centres, it will have to be a jail or something in many cases. They can hold him for forty-eight hours if in their opinion, if in the opinion of that individual, he is still not fit to go out. Mr. Speaker, that is too much power. That is too much power to give to an individual. Furthermore, it only takes one medical practitioner to hold him. You must have two to be certified mentally unsound and only one to be certified drunk. In each case the liberty of the subject is being interfered with. While the stated principle of the bill is impressive (I think we would all agree with it) my God it should not be a crime to get drunk, a crime to get drunk and do some further harm but just to get drunk - I was going to say that all of us would be guilty of that but I am not prepared to say that. There will be many men in this House now and many men in other places and many ladies and women elsewhere who are guilty of that crime, if it be a crime. It should not be a crime. I agree completely that it is a good measure in that sense. It is an humanitarian measure. But there are dangers to the liberty of the subject in that this bill is wrong. There are a number of learned gentlemen opposite who are at least as learned as I am and far more experienced at the law but as this stands, Mr. Speaker, a person can be taken into custody on the word of

a municipal policeman or any other person employed for the preservation and maintenance of the public peace, whatever that may mean, or to the constabulary force or the Royal Canadian Mounted Police or any person possessed of or given the powers of the members of the constabulary force of Newfoundland - again I do not know what that means - we have another clause dealing with the constabulary force of Newfoundland - that person can take another person into custody on a purely subjective test, that I think he is intoxicated, that I find him in a place to which the public have access and if such a police officer is of the opinion - subjective, no objective, nothing to measure it against - he is even down below and properly in the circumstances protected against any accidents for false arrest. I am drawing to a close and then we will adjourn.

I think it is wrong, Mr. Speaker. I do not think it is quite as funny as that. I think this is a matter where the liberties of the subject may be infringed and I would ask the honourable gentleman not to give the bill second reading at this stage.

AN HON. MEMBER: (Inaudible.)

MR. ROBERTS: All right, I adjourn the debate, Mr. Speaker.

MR. SPEAKER: On motion debate adjourned,

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

MR. SPEAKER: It is moved that the House do not adjourn until tomorrow Friday, at 3:00 P.M.

On motion House adjourned.