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SPEAKER: THE HONOURABLE JAMES M. RUSSELL

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The House met at 3:00 P.M.

Mr. Speaker in the Chair.

HON. T. A. HICKMAN (Minister of Justice): Mr. Speaker, before the presenting of petitions, I am pleased to announce the appointment of a Newfoundlander, Mr. John T. Connors, who is presently residing in Dartmouth, Nova Scotia, to the post of Director of Public Prosecutions for the Province of Newfoundland. Mr. Connors is forty-six years of age. He was born in St. John's and after completing one year of a pre-medical course at Memorial, he lost his sight. He later entered Dalhousie University and completed three years of arts before entering Dalhousie Law School. He graduated with a Bachelor of Laws Degree from Dalhousie Law School in 1954 and in 1955 he graduated from Harvard University with a Master of Laws Degree. He was admitted to the bar in Nova Scotia in 1955 and practiced law in the City of Dartmouth until 1967, when he joined the staff of the Department of the Attorney General of Nova Scotia. He is at present a senior prosecuting officer in Nova Scotia.

Whilst at university, Mr. Connors won a number of scholarships including the George V Scholarship in Newfoundland, the Nova Scotia Barristers' Award for leading his class at Dalhousie Law School and a Competitive Fellowship from Harvard School of Law. Mr. Connors will assume his duties as Director of Public Prosecutions for Newfoundland on July 1, 1973. Mr. Connors is a widower with five children, although totally blind this does not impair Mr. Connors' performance in court nor his ability to prepare for trial.

Mr. Speaker, I am indeed proud that this courageous Newfoundlander is returning to his native province to assume this most important position with my department.

MR. W. N. ROWE: Mr. Speaker, if I may make a brief comment on the minister's statement, I would like to congratulate him for obtaining Mr. Connors' services

Mr. Rowe

in this regard. I know how difficult it was, Sir, when I was acting minister, as did my predecessors and successors, of the difficulties which we had in trying to get a director of public prosecutions. It is not the type of job that every lawyer goes after and it is somewhat difficult,

MR. WM. ROWE: very difficult on occasion to fill that position.

Secondly, Sir, I would like to compliment and congratulate the minister for offering Mr. Connors this job. He is a man, as I understand, as the minister has indicated, totally blind. I agree completely with him that far from this being a deficiency of any kind in performing his duties, it may well be an enhancement.

I remember reading a biography of a gentleman who was totally blind, in the States. He was a lawyer, a practicing court-room lawyer, and was considered by all and sundry, I believe it was the State of New York, considered by all of his brethren at the Bar to be foremost among the practitioners before the court. Also I knew another gentleman who was a lawyer going for his B.C.L. at Oxford when I had the opportunity to be over there. He too was totally blind. He, I believe, led that year his class in the B.C.L. degree, that was in 1963 or 1964. A man who then went on to great things in the practice of law.

I congratulate the minister for his choice and I wish Mr. Connors every success in his duties.

PRESENTING PETITIONS:

MR. H.W.C. GILLET: Mr. Speaker, I have a petition here which is directed to the Minister of Transportation and Communications. Now this petition, Mr. Speaker, was presented to me last fall after the House was closed but it does have to do with the paving of the roads to Cobbs Arm and Rodgers Cove.

The concern of the residents of Cobbs Arm and Rodgers Cove is a genuine concern and I know because I have travelled that road so many times and they are smothered with dust, as they say here.

I tried several times in vain last year to get this bit of paving done and the road is just about ready for it. However, Mr. Speaker, I support the prayer of the petition, I would ask to have it placed on the table and referred to the department to which it belongs.

MR. M. WOODWARD: Mr. Speaker, I would like to speak in support of the petition presented by the honourable member for Twillingate. I have heard, since I came to this House, numerous petitions being presented to the government asking for pavement of one kind or another for particular roads in the province and I would like to ask the honourable Minister of Transport and Communications if he can see fit to put in enough money in his budget this year to have this particular road paved from Cobbs Arm to Rodgers Cove. Seeing that we had a windfall of money that will be coming into the province with regards to the federal budget that was brought down last night in the House in Ottawa, in the House of Commons, I cannot see any reason why this particular job cannot be done, Mr. Speaker.

HON. T. P. HICKEY, MINISTER OF PROVINCIAL AFFAIRS AND ENVIRONMENT:

Mr. Speaker, before you call Orders of the Day, I rise on a point of personal privilege arising out of yesterday's debate of the bill before the House respecting Lake Apartments. The Leader of the Opposition raised a question as to who would be appointed administrator, from that a debate ensued in which certain inferences were made. I did not mind that so much, Mr. Speaker, what was said in the House. Outside the House the Leader of the Opposition made a further statement to the news media in which he said that he knew

whom I was going to appoint. I knew that he was aware of the person and that it was just something funny or something rather strange about it. Along with the talent that the honourable the Leader of the Opposition has such as arrogance, he must also be blessed with the talent of extrasensory perception. Because I do not know up to this moment who is going to be appointed. As a matter of fact, Mr. Speaker, for the benefit of the members of the House, the reason why I could not name that party yesterday was that up to the time I walked into this honourable House I did not know that my officials had been successful in contacting the party in question. I think it was responsible of me not to accede to the request of the Leader of the Opposition because it would be rather awkward today for me to announce that the party that I announced to be the administrator yesterday I would have to announce today that those people had not accepted. So I do not know to this moment - I am at a lost to determine why the Leader of the Opposition should imply corruption or something improper about everything that goes on, on the part of any member on this side of the House. It just borders on the ridiculous.

MR. ROBERTS: Mr. Speaker, did the honourable gentleman raise a point of privilege or am I allowed to make a speech in reply to his diatribe?

MR. HICKEY: The honourable gentleman heard the point of privilege.

MR. ROBERTS: May I ask Your Honour what was his point? It seemed to involve me, but I do not know what I said or did that so offended him. What is the point of privilege, Sir?

MR. HICKEY: Mr. Speaker, if the honourable the Leader of the Opposition does not know what he said that is understandable because that explains what he says sometimes.

MR. ROBERTS: Mr. Speaker, I am quite aware of what I said.

MR. HICKEY: If he would like to know what the point is - If he wants to withdraw what he said, yes.

MR. ROBERTS: Mr. Speaker, I am quite aware of what I said. What is the point of privilege, Sir?

MR. SPEAKER: Does the honourable Leader of the Opposition wish to comment?

MR. ROBERTS: Mr. Speaker, the honourable gentleman stands and launches an attack on me. Well, that is his business. He says it is a point of personal privilege. All I am asking, Your Honour, if Your Honour would indicate to me what the point of privilege is. I know what I said about the honourable gentleman. I know what he said about me. If he wants to whine, I am not going to. But what is the point of privilege. Sir?

MR HICKEY: It is quite clear. The honourable gentleman is well aware of the fact, what my point is. He is only just playing games again. But I will put it in common language for him.

He implied that my actions were improper in refusing to name the names. He said there was something strange about it.

MR ROBERTS His actions were improper.

MR HICKEY: They were not. It is the honourable gentleman's mind.

MR ROBERTS: They were, Sir, and that is that.

MR HICKEY: It is his mind.

MR SPEAKER: Order, please.

MR ROBERTS: And I think the honourable gentleman acted improperly.

MR SPEAKER: Order, please. I feel that the matter in question is possibly more of a matter of opinion between the two honourable members rather than a point of privilege. I feel that we should continue with the business of the day.

MR. NEARY: Mr. Speaker, I would like to direct a question to the Minister of Industrial Development. I would like the minister to indicate to the House if there is any change in the amount of severance pay the laid off employees of the steel plant will receive when their services are terminated?

HON. C. W. DOODY (MINISTER OF INDUSTRIAL DEVELOPMENT): Mr. Speaker, it has been indicated to the employees that they will be entitled to twelve weeks severance pay, this is a commitment that the government have every

intention of keeping.

MR. NEARY: I thank the honourable minister for the answer, Mr. Speaker, I would like to direct another question to the Minister of Industrial Development. Would the minister explain to the House why the name of the Electric Reduction Company of Canada has been changed to Erco Industries Limited. And just what this change means to the phosphorus plant at Long Harbour?

MR. SPEAKER: I think this question could very well be placed on the Order Paper. If the minister is willing to answer, I will permit him to do so.

MR. DOODY: No, I was not. It is the first time in my life that I have ever found myself in the same position as the honourable member for Bell Island. I really do not know.

MR. ROBERTS: Mr. Speaker, even though my friend from White Bay South has returned and the Minister of Highways is back from Corner Brook, yesterday I asked the Premier - no he is not the Minister of Transportation and Communications, he hopes to be if the House passes the legislation. I asked the honourable gentleman and since he was not here the Premier took it as notice and undertook to follow it up, a question about Hampden. Now I think the information that I had yesterday was not correct, the main road to Hampden in White Bay South is open, so it is a very narrow cut but it is open. Meanwhile as of this morning the machinery was still broken down, the Department of Highway's machinery, The people living on the side roads of that community have been in touch with my colleague, have been in touch with me as well and they have no oil and the situation is serious. Can the minister tell me what has resulted from the query which the Premier had yesterday?

DR. FARRELL: (MINISTER OF HIGHWAYS): Mr. Speaker, could I ask the honourable Leader of the Opposition if he wants a complete and full report on this right now?

MR. ROBERTS: If the honourable member wants to make a full report, I would be happy. If he wants to do it outside, I will be equally happy,

Mr. Roberts:

that would be equally good.

DR. FARRELL: I would like to go back to Friday, February 16. At 11:00 P.M., Thursday a grader would wing and blade work between Hampden and T.C.H. winging snow. It came off shift 7:00 A.M., Friday, road in fair driving condition. A storm came up before noon, strong northeast winds with snow accumulation during the day up to ten inches. Now I would like to digress here for a moment, Anyone who has been on the West Coast for the last couple of days knows the conditions that are out in that area. This machine returned to Hampden around 6:00 P.M. and in the meantime this machine was taken by another operator at Hampden and worked between Hampden road and Giles Valley. A Department of Highways dozer working between the Village of Hampden and the Beaches, broke down in the early afternoon. Mechanics went to the machine from Deer Lake, made necessary repairs and worked until 2:00 A.M. Saturday. Very poor driving conditions prevailed at that time. Grader plow left Hampden twelve, midnight, Friday and plowed to the T.C.H. returning to Hampden, 7:00 A.M. Very stormy, ten inches of new snow, road drifting in behind plow. Dozer worked in the storm at Hampden beginning 5:00 A.M.

Again now I digress slightly to say that people working on these machines and the conditions that have been prevailing on the West Coast for the last week or so, it has been unbelievable and these machines, even the best of machines under the conditions that did prevail, it is amazing how the grader worked at all, developed mechanical trouble Saturday afternoon. Mechanics went to Hampden Saturday night and got their machine back in service. Roads around Hampden getting blocked up with snow and plow could not keep the local roads open. At 7:00 P.M. grader left Hampden, worked to the T.C.H., returned to Hampden at 6:00 A.M., Sunday morning, storm raging.

Sunday, 7:00 A.M., machine left to go toward Giles Valley, impossible to get through under the turn to the intersection of the Giles Valley and Hampden roads. Operator was informed a car with a sick lady in it going to Corner Brook Hospital was struck in the snow between that place and the T.C.H. He immediately went to the scene, plowed the road to the T.C.H. allowing the car to get through. He then returned to Hampden, storm still raging, visibility nil. Dozer working in Hampden Village Area but not accomplishing anything. Operator took grader plow at 6:00 P.M. on the same day to the T.C.H. returning to Hampden 7:00 A.M. Monday, road in fair driving condition.

Monday, grader plow left Hampden for Sops Arm around 9:00 A.M., met machine working from Sops Arm at 1:00 P.M., returned to Hampden at 6:00 P.M. Dozer working between Hampden and the Beaches broke down twelve, noon, at the Beaches where it is still under repairs. Road open between Hampden and the Beaches but very narrow. Hired dozer, for the hon. member, Mr. Speaker, has been sent to the Hampden Area from Bonne Bay this afternoon and it is also expected that the department's dozer at Hampden will be repaired this afternoon. Additional grader is being repaired and is being sent to the Hampden Area sometime later this week.

MR. ROBERTS: Mr. Speaker, I thank the hon. gentleman for a very full report and I compliment his officials for preparing it for him. When he mentioned this afternoon, is that Tuesday afternoon he means?

DR. FARRELL: That is today.

MR. ROBERTS: Today, Tuesday afternoon. So as of this afternoon the dozer at the Beaches will hopefully either will be or has been repaired, there is this one coming in from the Bonne Bay Area and there is the other hired one being sent in, is that correct?

DR. FARRELL: Correct.

MR. ROBERTS: Well, I thank the hon. gentleman for the information, Mr. Speaker.

MR. ROWE (W.N.): Mr. Speaker, I thank the Leader of the Opposition and the minister for asking and answering the question in my absence yesterday.

I would like to direct a question to the hon. Minister of Finance, Mr. Speaker. In view of, I believe, the \$24 million windfall which the government expects to receive from Ottawa during the coming fiscal year, could he indicate now whether it is government policy to reduce taxes, such reduction, Sir, can take place by order in council?

MR. CROSBIE: Mr. Speaker, the \$24.2 million we hope to receive next year, in the next financial year as a part of

the increased tax equalization payments from the Government of Canada, which will go to seven provinces. It is not a windfall in the first place. It is recognition by the Government of Canada that municipal or school taxes should be included in the tax equalization formula, calculating what provinces need additional assistance to meet their financial requirements, Number (1), it is not a windfall.

Secondly; Mr. Speaker, as the honourable gentleman knows from the state in which he and his colleagues left the province, there is no chance of any tax reduction as a result of this windblow, as the honourable calls it, but it does increase the likelihood that there is little chance of a tax increase. I know, Mr. Speaker, how that will disappoint the honourable gentleman opposite, but there you are. It is some help in the year coming up and we are glad to have it. It is not a windfall, Mr. Speaker, we fought for it at Ottawa on several occasions in the last twelve months and we have managed to persuade the Government of Canada to change the formula when honourable gentlemen opposite could not.

MR. W.N. ROWE: A supplementary, Mr. Speaker, following the honourable minister's ...

MR. ROBERTS: Even he has not a straight face

MR. W.N. ROWE: The minister cannot keep from laughing. He woke up in the morning and here it was.

In view of the minister's statement, Sir, today and in view of his remarks yesterday about the bad "John" in Ottawa not providing enough money, I would say that it is a windfall. I would ask the minister if the report in today's "yellow journal" the "Evening Telegram" first column of the budget, "Budget political says Moores, Crosbie," whether this is a quote from him or whether it is a quote from the person writing it? "Mr. Crosbie" (the honourable minister) said that he learned of the windfall this morning after reading the full text of Federal Minister John Turner's Budget Speech." Would he have a

comment on that, Mr. Speaker?

MR. CROSBIE: Comment on what?

MR. W.N. ROWE: On whether, Mr. Speaker, that is a quote of his or whether it is the journalist himself writing it, or whether that is a correct report of what he said to the journalist, "that he learned of the windfall this morning after reading a full text of the federal budget speech."

MR. CROSBIE: This is a cesspool of cynicism. I think...

MR. ROBERTS: The "yellor journal" again.

MR. CROSBIE: I think the word "windfall" was a concoction of the reporter who cynically misquoted me.

MR. ROBERTS: Mr. Speaker, a further supplementary for the minister rising out of his statement that it is not possible for the government to reduce taxes in view of the alleged state in which the previous administration left the state of this province. Would he explain how they were able to reduce taxes before the March 24th. election, a year ago, that much closer to the time when we handled the affairs of this province?

MR. CROSBIE: Mr. Speaker, the answer to that question is that we did not reduce taxes, we granted the children an exemption, childrens' clothing and made it exempt from the S.S.A. tax a matter that the other government had callously refused to do for years and which the federal government did last night, showing how justified we were last spring.

MR. ROBERTS: A supplementary, Mr. Speaker. Would the honourable gentleman indicate how removing a tax is not reducing a tax? Would he also indicate how his philosophy equates with taking away the mothers' allowance of \$3.5 million immediately after the election?

MR. SPEAKER: Order please! I think this is getting to be a debate on the question and I rule the supplementary out of order.

MR. ROBERTS: Mr. Speaker, why did you rule this out of order please, Sir?

MR. SPEAKER: We are getting into a long debate on questions and answers. I think the questions should be put on the Order Paper.

MR. ROBERTS: I accept your ruling, but it is not a debate. The honourable gentleman is all set to answer the question. Surely he has nothing to hide?

MR. SPEAKER: Order Paper. Are there any other questions?

ORDERS OF THE DAY:

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

On motion a bill, "An Act Further to Amend the Assignment of Book Debts Act", read a third time, ordered passed and title be as on the Order Paper.

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

On motion a bill, "An Act To Amend The Quieting Of Titles Act", read a third time, ordered passed and title be as on the Order Paper.

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

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

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

On motion a bill, "An Act Further To Amend The Employment (Notice Of Termination) Act, 1969", read a third time, ordered passed and title be as on the Order Paper.

On motion a bill, "An Act To Amend The St. Clare's Mercy Hospital (Incorporation) Act, 1960", read a third time, ordered passed and title be as on the Order Paper.

On motion that the House resolve itself into committee of the whole to consider certain bill, Mr. Speaker left the Chair:

A Bill, "An Act Respecting an Administrator for Lake Apartments"
MR ROBERTS: Mr. Chairman, I have an amendment I wish to move to Clause 3 but before I do that - I sent a copy to the clerk and a copy to the House leader, on the other side of the House.

May I ask, with reference to sub-clause (3) of this section, which now reads: "An action shall not be brought against the administrator appointed pursuant to sub-section (1) for any act done by him in execution of his duties as administrator, unless the act were done maliciously and without reasonable and probable cause."

Now I shall defer to any learned gentleman on

Mr. Roberts.

on this point because I do not pretend to know a great deal about this type of thing. But as I understand the way that reads, if the administrator acts negligently, he is still saved harmless from any action and if that is a correct interpretation of the way the subsection reads, I submit that that is wrong. The administrator in my view should not have any more protection from his own negligent acts than any other citizen should have. Perhaps the House Leader may have a word to say on that.

MR. MARSHALL: Mr. Chairman, I think we would agree with that. It is to be borne in mind that this bill was -

MR. ROBERTS: Hastily drafted.

MR. MARSHALL: This bill was drafted to meet rather urgent circumstances and we would concur that there is no reason in this world why any person should be protected by this legislature from acts of his own negligence. Therefore, Mr. Speaker, I would move that sub-paragraph (3) of clause (3) of the bill be amended to insert the word "negligently" between the words, "done and maliciously" appearing in the fourth line, so that it would now read, "an action shall not be brought against the administrator appointed pursuant to subsection (1) for any act done by him in the execution of his duty as administrator, unless the act was done negligently, maliciously and without reasonable and probable cause."

MR. ROBERTS: Should that not be, "or without."

MR. MARSHALL: Yes, "or without reasonable and probable cause."

AN HON. MEMBER: Negligently or maliciously.

MR. MARSHALL: Negligently or maliciously, yes. I think "or" instead of "and" should be there. I am making up the amendment as I go on so we can put in negligently or maliciously and without reasonable and probable cause. The amendment proposed is to insert the words, "negligently or" between the words, "done and maliciously" which I think, Mr. Chairman, might meet the point which is very validly taken.

MR. R. WELLS: Yes, Mr. Chairman, I would agree with the proposed amendment by the House Leader. Before we leave clause (3), I would like also to propose an amendment, Mr. Chairman, to be added to (3)(1) which ends now -

MR. ROBERTS: Once he proposes the amendment -

MR. WELLS: Intercede, I do not mind!

MR. ROBERTS: We cannot have more than one amendment under discussion at the one time, I do not think.

MR. WELLS: I was thinking that possibly we could refer to all the amendments to this particular -

MR. ROBERTS: Mr. Chairman, I thought one had only one amendment at one time.

MR. CHAIRMAN: The motion is that subclause (3) of clause (3) be amended to include the words, "negligently or maliciously" in subclause (3) and the Chair would prefer to deal with subclause (3) before dealing with other amendments.

MR. MARSHALL: There is another amendment, Mr. Chairman, of a minor nature before we come to the principal one that the hon. Leader of the Opposition has proposed additional amendments - it is just merely a typographical error. In sub-paragraph (2) of clause (3), the fourth last line, the word "have" appearing in the last word should be changed to "has." It now reads, "of any person who has, has had or claims to have."

MR. WELLS: Mr. Chairman, with respect to clause (3)(1), which now ends, "such tenants by other than the administrator in respect of any matter arising during the period of administration." I move, Mr. Chairman, that added to that be the following: "an all actions now outstanding against any tenant of the premises for non-payment of rent or which may be brought for such purposes prior to the appointment of the administrator or stayed until the

ownership of the premises is so resolved." The reason for that, Mr. Chairman, is that I understand actions have been brought against tenants of the apartment even as late as yesterday and in fact were being served this morning, seeking to recover rent from these tenants. The tenants are in the awkward position of not knowing to whom they ought to pay and the addition of these words to that clause would correct the situation. The actions would be stayed and in due course when the ownership is resolved, they can pay to the appropriate person. I would move the inclusion of these words. I have them written down.

MR. ROBERTS: Mr. Chairman, I assume these actions are being brought in behalf of one of the alleged owners. I am sorry, I will repeat it again. Are these actions being brought in behalf of one of the people claiming to have ownership?

MR. WELLS: They are indeed, yes.

MR. ROBERTS: We will go along with it. We think it is entirely reasonable.

MR. CHAIRMAN: It is moved that the words, "and all actions now outstanding against any tenant of the premises for non-payment of rent or which may be brought for such purposes prior to the appointment of the administrator are stayed until the ownership of the premises is so resolved," be inserted after the word, "administration" in subclause (1) of clause (3) and that the period after the word "administration" be removed.

MR. WELLS: Mr. Chairman, with regard to subclause (4) of clause (3), the question was raised yesterday by the hon. Leader of the Opposition about the administrator and the question of who should pay any expenses and fees which may be incurred by the administrator. I would move, Mr. Chairman

MR. WELLS: the addition of a further sub-clause to be called, in this case I think it would have to be called sub-clause 5, which would be added to the present. With respect, Mr. Chairman, to the further sub-clause I move that there be added as sub-clause 5 the following wording, "The administrator appointed pursuant to subsection (1) shall be paid a reasonable fee for his services as administrator and be reimbursed for all reasonable out-of-pocket expenses incurred as such which when taxed by a master of the Supreme Court may be paid or reimbursed from the monies held in trust pursuant to subsection 1 of section 3 and retained by the administrator."

The feeling with regard to that and the reason for the suggested amendment, Mr. Chairman, is that as this is a matter which has arisen because of a dispute over Lake Apartments and Lake Apartments Limited, that the costs which are incurred by reason of this ought not to be at public expense but ought to be borne by the company itself and this provides that they can be charged by the administrator appointed, but of course reviewable by a master of the Supreme Court to make sure that they are properly in order and I think that is a worthwhile addition.

MR. ROBERTS: Mr. Chairman, I think the amendment, my colleagues and I think the amendment is quite reasonable and only makes clear and certain the situation which the honourable gentleman said yesterday would have existed anyway, but it does make it clear and of course I think it is a very sensible thing. That is why I raised it originally.

MR. HICKEY: Mr. Chairman, in supporting the amendment I would like to mention that we are experiencing some difficulty in obtaining an administrator and I am sure that the House is clear as to what the fee should be, I wonder if my colleague would agree to the wording that "the standard fee be paid." There is a standard fee - I believe it is something like ten to fifteen per cent of gross revenue or something of that nature.

MR. WELLS: The reference to the taxing master means that in such case as a master of the Supreme Court can review the fees and set a proper fee. So there is no question that the fee could be improper. It will be set by a master of the Supreme Court.

MR. WM. ROWE: I think the master when taxing the cost and fees would have reference to these things for residentiary values. There is no problem with that, Mr. Chairman.

MR. CHAIRMAN: It is moved that there be added to clause 3, section 5, the reading as follows: The administrator appointed pursuant to subsection I shall be paid a reasonable fee for his services as administrator and be reimbursed for all reasonable out-of-pocket expenses incurred as such, which when taxed by a master of the Supreme Court may be paid or reimbursed from the monies held in trust pursuant to subsection (1) of subsection (3) and retained by the administrator.

MR. BARRY: I wonder from the reading, Mr. Chairman, I am not sure if it says where the money is going to be paid, what fee is going to be paid. It clearly states that the fee is to be paid out of the monies held in trust, does it?

MR. CHAIRMAN: Carried.

MR. ROBERTS: Mr. Chairman, if I might now move two other amendments which on the typed sheet of paper which I sent Your Honour are listed as (5) and (6) but because of the amendment we just accepted would be (6) and (7), I can deal with them either separately or together as Your Honour wishes. I think they are advanced in the same spirit as the amendments which we have adopted.

Each would be to clause 3, the first would be to add as subsection 6 the words, "an administrator appointed pursuant to subsection 1 shall be a person," (and of course a person can be either a corporate or a natural person) "a person who is experienced in the

MR. ROBERTS: business of property management and shall have had experience in managing properties such as those premises situate at 115 Forest Road in the City of St. John."

Now if Your Honour wishes, shall I go on with the other one or would you wish to deal with them separately, Sir?

MR. CHAIRMAN: In view of the fact that they are continuous in thought, I would think -

MR. ROBERTS: Fine, thank you, Sir.

Then there will be a new subsection (7) which would read: "the administrator appointed pursuant to subsection (1) shall be bonded in the amount,"(that possibly should be in an amount) "at least equal to the total of all monies which he may be reasonably foreseen as to receive in trust from the tenants of the aforementioned premises."

Mr. Speaker, to speak briefly in support of these, I think the intent of them is very straightforward and very obvious and I assume will be accepted. Indeed I do not see how it could be challenged, Sir. We are taking a very unusual step in this whole bill to intervene in what is essentially a private dispute between two parties, which has been referred to the courts. We have all agreed that that is the right thing to do in the unusual circumstances. We are appointing an administrator and that is fine but I think the administrator should be, obviously, somebody who is experienced in this.

I make no suggestion. Indeed I have no suggestion in mind that anybody has ever contemplated appointing anybody other than a person experienced in the business of managing property. Those are wide words so I do hope the amendment will win support from both sides of the Committee.

MR. HICKEY: My obvious reaction to this has to be one of dismay. The Leader of the Opposition is now proposing an amendment. He is more

MR. HICKEY: or less telling us whom we are going to appoint. He apparently has no confidence whatsoever in myself, Of course that does not bother me too much, but neither does he have any confidence in this side of the House, it would seem. I would vigorously oppose this amendment. There is no need for it. We are not about to appoint some campaign manager as he might have been suggesting yesterday.

If he would wait just a little while, when we go about it in an orderly fashion, he will find out who the administrator is and he will also find out that we act and when we do act it is in a responsible way.

MR. NEARY: Mr. Speaker, I rise to support these amendments, especially the one that the Leader of the Opposition introduced suggesting that a person, and I do not think he mean that as just a single individual it could be a corporation or a firm, to administer the affairs of that apartment complex who is experienced in that kind of property management.

Now, Sir, I did not hear the Leader of the Opposition tell the minister whom to appoint. The Leader of the Opposition and the members of the House I am sure, the other members of the House I am sure, would like to take all the safeguards that they can in this piece of legislation which is really a precedent. The first time since I have been in the House in twelve years, that I have seen that kind of legislation brought before the House. I think it is necessary. I agree with the honourable member for St. John's South but there is a danger, Sir, the way the legislation was worded originally, it is wide open. Some minister on the other side said, and it is not beyond this administration to do it, Mr. Chairman, not beyond the administration, we know the experience of the last thirteen or fourteen months, it could be a buddy of some minister, Sir, it could

MR. NEARY: be a party worker, it could be some hang-around, it could be some flunky worker for the Tory Party. Sir, it could be the firm of auditors, Sir. It could be the firm of auditors who audits the books of some minister on the other side. It could be, Mr. Chairman.

MR. MURPHY: Inaudible.

MR. NEARY: It could be, Mr. Chairman, it could be and the honourable Leader of the the Opposition is bringing in an amendment that I am sure all sane and sensible honourable members of this House will approve of. I do, Sir. It is just a safeguard and I congratulate him for bringing it in and I hope that it is passed unanimously by the House.

MR. CHAIRMAN:

Sub-clause (6) and (7) as they had been proposed are separate and apart from one another to such an extent that they should be dealt with individually. I believe that section (6) dealing with the type of person who is to be appointed, is quite a bit different from section (7). So, if we could deal with subsection (6) first as contrary to what we had previously agreed.

MR. W. W. MARSHALL: Mr. Chairman, the Leader of the Opposition's motion, the reason why we oppose this provision of subsection (6), as indicated by the hon. Minister of Provincial Affairs and Environmentthe, reasons have been really expressed by the hon. member for Bell Island.

The situation is that it is a bill which has been brought in to appoint an administrator and to generally administer the business of this block of apartments. We have put in, with the mutual consent, the words: "negligently or maliciously or without reasonable or probably cause..." So that in itself means that we are going to have to be careful whom we appoint, to make sure that it is somebody who is well versed in the particular matter, in this type of matter, but the nature of the amendment is such that it touches upon and really in effect questions to some degree the executive arm of government itself, in that it is stipulating and positively that it must be some one with experience. We will appoint somebody who is very, very competent. We are taking a very unusual step in this matter. There has to be a certain amount of latitude and at the same time a great deal of responsibility exercised by the government in this appointment which is the same type of responsibility that it evidences in all of its acts.

The arguments that the honourable the member for Bell Island had put, to the effect that we might appoint a flunkey and that we might appoint that type of person or have a party-heeler or something like that, is specifically the reason why we will adamantly oppose this particular amendment.

MR. E. ROBERTS: The honeyed words of the hon. gentleman will not hide two or three facts. First of all, he just said and his logic as my colleague and friend has just put out is somewhat flawed. My friend from Bell Island said the government may be tempted to appoint a flunky or something and the very reason, this amendment would prevent that is the reason the government would then oppose it. Well I let those words stand for what they are worth.

Let me comment right now on just two points the hon. gentleman made. First of all, I am deeply shocked to hear from him of all the people in this Chamber, Sir, the argument advanced seriously- I assume he was serious - seriously advanced that somehow this House was infringing upon the executive arm of the government. Sir, this House controls the executive arm of the government or should and I, when he sat over here, I heard him be so eloquent and I must say in so many ways I agreed with him and I have heard him be so eloquent since, Mr. Chairman, about how this government does not want the usurp the power of the House. I guess that is changed now. Ted Russell gave them a little flick the other day in the yellow rag, the scurrilous journalism.

MR CHAIRMAN: I would like to ask the Leader of the Opposition to keep this as relevant as he can.

MR ROBERTS: Mr. Chairman, I am. I am dealing with the argument advanced by the hon. House Leader. Your Honour allowed him to advance the argument, as Your Honour should have. Your Honour will doubtless allow me to try to rebut the argument, as Your Honour should.

He said that it would infringe upon the executive arm. Of course it would, Mr. Chairman. That is why it is put forward. Of course it would infringe upon the executive arm. But how they have changed. A year and a-half or two years ago, you ought to hear them talk - now he stares across at me (what is the phrase?) beady-eyed, a grim, intense stare, a man of principle, stares across at me, beady-eyed. A year ago, two years ago, he was so noble. Now he has fallen. Now this harmless little amendment infringes the executive arm of the government. Of course it does and so it should.

What is wrong with it? I do not care if they appoint a flunky. Let them appoint Mr. Nutbeam. For 20,000 bucks a year maybe he can do something.

HON. MEMBER: Here, here.

MR. ROBERTS: Here, here. I will say here, here and if we can ever find out what he is doing we will be doing well

HON. MEMBER: And Harvey Cole down there.

MR. ROBERTS: No, no he is the chief electoral officer. We will come to Mr. Cole, gentlemen.

Mr. Chairman, as I am saying this amendment said to let them appoint a flunky as long as he is qualified and they have the nerve and the gall - and I am surprised at my friend from St. John's South who apparently supports this, I really had expected better from him. Judging from his words in this session and in the last session, the two sessions at which he has been with us, I had expected better. I am not surprised about the Minister of Provincial Affairs. I know him for what he is and I am not surprised by him. As a matter of fact I am not surprised by anything that gentleman does. I had expected better from members opposite.

This amendment says simply that whoever is appointed should be qualified. Qualified in what? Qualified and experienced in the business of property management and shall have had experience in managing properties. I do not care, Mr. Chairman, if the person is the Tory campaign chairman. That is fine. Honourable gentlemen campaign for the Tory Party and honourable gentlemen campaign for my party, as long as he is experienced in managing property.

Now remember, Mr. Chairman, that this section that we are now debating in committee calls upon the power of this House to intervene in a private dispute before the courts. We all agreed yesterday that we should not do it lightly. Well all I am suggesting in this amendment, Mr. Chairman, is that we put reasonable standards. I have made no

statements about who will or will not be appointed. What I have said, in proposing this amendment is that the person shall be experienced, shall have had some experience. Not unreasonable! If the honourable gentlemen wish to use their majority to vote it down, they may. I cannot stop them. They will vote as they think best but let them remember what they are doing. What they are saying is that they will not accept the constraint of this Chamber.

I am really surprised at the honourable gentleman from St. John's East, the Minister without Portfolio. How many times did we hear his statements about the executive arm being subject to this House. Mr. Chairman, how the wheel has turned and how the hypocrisy of the honourable gentleman has been exposed for what it is.

HON. LEO D. BARRY:(MINISTER OF MINES AND ENERGY): Mr. Chairman, I heard what the hon. member, the honourable the House Leader said. I also heard what the honourable the Leader of the Opposition said. I do not think the honourable the Leader of the Opposition's remarks were warranted by what the honourable the House Leader earlier said. There is a difference between the honourable House controlling the executive arm of government and this honourable House so limiting discretion or removing all discretion as to imply lack of confidence in the executive arm of government, and this is in effect what the honourable the Leader of the Opposition's amendment is doing. It is purporting to limit what I consider to be a reasonable discretion to be left with the honourable the Minister of Provincial Affairs or the Lieutenant Governor-in-Council, whoever the act contemplates. Sir.

It is one thing to control the executive arms and another to imply a lack of confidence by removing all discretion. This government will have to take the responsibility for the person that it appoints as an administrator. If it appoints somebody who is not capable, who is

obviously not qualified, then this government will have to take the consequences of this. It will be open for all to see and this government will have to answer to the people for doing it.

However, if I could get to another point. The honourable Leader of the Opposition has attempted to limit the discretion of the minister by setting out certain

criteria which must be followed in the appointment of the administrator. Unfortunately, the criterion that is set out is not the criterion which is going to gain what the honourable Leader of the Opposition suggested it will gain. As I understand it, the intent of the amendment is to insure that the building is properly managed.

The amendment refers to therefore having somebody experienced in the managing of property. I submit, Mr. Chairman, that there are many people experienced in the management of property who would be totally unqualified to administrate and to act as administrator here. What is the honourable the Leader of the Opposition saying? He said; "On one criterion!" We agreed that this criterion alone will not protect the tenants of Lake Apartments. We agreed that this discretion was going to be left in the minister, as to the qualifications, whether or not this amendment goes in as to the qualifications of the administrator. It is going to be up to the minister to find somebody who can administer the properties properly.

This, Mr. Chairman, I am prepared, this discretion I am prepared to grant as a member of this honourable House to the minister and I submit that all members of this honourable House should be prepared to do likewise.

As a final point, I would just like to mention that this would be a limitation on the person who would be obtained as administrator which will make it more difficult, possibly, to find a proper administrator. I submit that a person could be found with absolutely no experience in managing properties, who by his ability in other areas could show himself to be a very good person to be chosen as administrator. I submit that there is no need for the limitation on the minister's discretion and I ask this House to reject the proposed amendment.

MR. ROBERTS: Mr. Chairman, the honourable gentleman has done

me the courtesy, (more than his House Leader did) of at least putting up some argument on the merit or lack of merit of the amendment. I shall attempt to deal with him. He says that in his opinion he is willing to trust the honourable gentleman whom we assume to be named. It just says in the bill: "A minister to be named by the Governor-in Council," it might even be the honourable gentleman from Placentia West. Who knows, lightning may strike. But we assume it will be the gentleman from St. John's Extern and he is noted for - shall we say mistakes of the heart, if not more. That raises a question right there.

I am not surprised at the honourable gentleman from Placentia West being willing to trust the discretion to his colleague. I mean, I would be very surprised if he did not. They are in the same cabinet. If the honourable gentleman did not feel the utmost discretion in his colleague, he would not grant him any discretion and he would leave the cabinet. That does not surprise me and indeed I submit the honourable gentleman does not expect anybody to take that argument seriously. He has to put that forward and so he does.

His other point though, Mr. Chairman, has merit and I am not going to attempt to deny it. This amendment would merely exclude one possible type of incompetence. It would leave many avenues for the honourable minister (he is to be the man responsible) to appoint incompetent people if he wish. If he were to appoint somebody who is not qualified this amendment will not prevent it. It will merely remove one type of incompetence. It will merely say that the man must have some experience in the business or property management. A person could be widely experienced in property management and entirely unsuitable to be administrator.

He could be experienced in slum landlords, which is not what one wants. He could be experienced in being dishonest, which is not what one wants. He could be in any number of things experienced, but at

least he is experienced. The argument has some merit. If the honourable gentleman wishes to improve the amendment and I would gladly consent, you know, leave to amend it, I think the amendment could do with further amendment. I do not presume to be a legislative draftsman, I do not presume to be even a legal draftsman, but I put it forward quite seriously because it will make sure, if adopted, and I fear that it will die on the floor of the committee, Mr. Chairman, but I put it forward quite seriously, not because I doubt the discretion of the honourable minister, As I have already said in the committee, Mr. Chairman, I am not surprised at anything the minister does or does not do. Nothing the honourable gentleman from the Extern could do would surprise me in the least. Nothing he could conceivably do would surprise me and I refer merely to the gentleman's public record, the evidence in support of that.

The honourable gentleman from St. John's South should control the smile, he is supposed to be on the same side as the other honourable gentleman. The amendment is not perfect, Sir. It may be very imperfect, but it is put forth in a helpful way, to try to improve this bill. It is put forward to try, and if it can be improved upon then I would welcome it. There are many honourable gentlemen in this committee, Mr. Chairman, who are infinitely more learned than I am in the law and in almost anything else one cares to name. If they wish to put forward an amendment to the amendment or to improve the amendment, I shall gladly do my part.

I maintain that the amendment, Mr. Chairman, the proposed clause (6) or subclause (6) would require the minister, whoever he may be, to appoint somebody experienced in the business of property management. I think that is a reasonable safeguard. I am surprised the government as a whole have chosen to reject it as they apparently have. We have now had three ministers who have spoken and each of them indicated he has voted against it. As this is a government measure, that be the

government's stand. I am surprised. I really had hoped it would be accepted, nonetheless. At least the honourable gentleman from Placentia West, the Minister-Designate of Mines and Energy (if we ever get around to creating the department) has put up some serious arguments and I have attempted to deal with them. If he can put forward some positive suggestions, as they are forever asking from us, let him put forward some positive proposals to improve this amendment and I for one would welcome them.

AN HON. MEMBER: Is it necessary?

MR. ROBERTS: Yes,

MR. BARRY: Is experience necessary?

MR. ROBERTS: Yes, Mr. Chairman, I think it is.

MR. BARRY: Do you not think that we could have a person qualified without experience?

MR. ROBERTS: It is possible...

AN HON. MEMBER: (Inaudible)

MR. ROBERTS: Well, if I may just answer the question because we are not limited in this. I do think experience is necessary. It would be possible to be good at something without being experienced, but certainly the odds are that a person who is experienced, the odds in favour of his doing well at something are very much greater. I am sure the honourable gentleman would agree with the weight of that as a statement of argument. I think experience is necessary, I did not say essential. I think it is necessary and I think it is eminently desirable.

MR. BARRY: Then the odds are that we will get somebody...

MR. ROBERTS: No, Sir, not with that particular minister, the odds are not.

MR. WELLS: Mr. Chairman, we are now to the point where we have a tempest in a teacup. The whole idea of this was to appoint an administrator and we are all agreed that it was a bit late. What the

honourable Leader of the Opposition seems to me to be doing now, is pulling a red herring into it, suggesting that the minister is not competent to make an appointment and that he has to have safeguards imposed in the act and all this sort of thing.

The Acts, the Statutes of Newfoundland are full of examples running into the hundreds of thousands of places where the minister is empowered to make an appointment. If he makes a bad appointment, if it is a hack, a flunkie, all the words that the honourable Leader uses, let him then go into his act and let him say: "Now, Mr. Speaker, we see who he has appointed, he is answerable, so be it," the usual routine when there is a bad appointment or a bad anything else in the honourable Leader's view.

Let him for heaven's sake, Mr. Chairman, let him for heaven's sake make the appointment! It is a standard thing that appears in hundreds of act. Let him make the appointment and as the honourable Leader would say, let him be answerable for it.

MR. CROSBIE: Mr. Chairman, there is not much to add after all that has been said. This is just simply a question of whether you have confidence in the government or not. If you have no confidence in the government you suggest silly, pusillanimous amendments such as this one, "The man must be experienced in property management." Yes, he has looked after a few outhouses for a month, then we could say he has experience in property management.

MR. NEARY: That ought to be the honourable minister.

MR. CROSBIE: And the honourable gentleman talks about flunkies.

MR. NEARY: That is right.

MR. CROSBIE: There were many, many flunkies if you want to call them that appointed in the last twenty-three years and some of them to very high quasi-judicial posts, where there is no stipulation made as to what qualifications they should have. You can easily put in this qualification of property management. There could be a thousand people we could appoint. The point is, if you have confidence in the

government, Mr. Chairman, you will vote for the bill as it is. If you do not have confidence in the government, you will vote for this exercise in argument and debate.

MR. ROBERTS: Mr. Chairman, the unfortunate part of the remarks of the Minister of Finance is that they are completely beside the point. This bill does not permit the government to appoint anybody. If the government would undertake to amend clause 3-(1) to say that the Lieutenant Governor-in-Council may appoint it would be okay. It is not the government that is acting, Sir. When this bill becomes law, the minister, whomever the Governor-in-council chooses to designate, and he has a wide choice Your Honour, there are nineteen...

MR. HICKEY: The honourable member is getting right down to it now.

MR. ROBERTS: I have not even mentioned Babb Construction yet, but if the honourable gentleman wishes I will.

MR. HICKEY: Will we talk about a fish plant too?

MR. ROBERTS: Yes, if you want to talk about a fish plant I would be delighted to talk about a fish plant. Does the honourable gentleman want to talk about a fish plant? If the Chairman will allow it, I am delighted to talk about fish plants.

MR. CHAIRMAN: Honourable members should keep in mind that we are debating a bill, "An Act Respecting An Administrator For Lake Apartments," not the other Lake interests in the island.

MR. ROBERTS: Thank you, Sir, I take it I

am not allowed to take up the honourable gentleman's suggestion, we will talk about fish plants at this stage. Well thank you, Sir.

Another time!

I do not know if the honourable gentleman for St. John's East is going to be the minister whom the Governor-in-Council will designate. Everybody seems to assume this. I would have thought well, I will not say that, what I thought would be offensive to the honourable gentleman, so I will not say it. But if the Minister of Finance or the government would undertake merely to make it the Governor-in-Council, I would be delighted. If not - the only justification he has put forth for his opposition to the amendment is that there may have been mistakes in the past. Of course there were mistakes in the past and there were mistakes made before 1949. There were mistakes made by all the governments that have ever been. Surely a mistake in the past is a reason to try and correct that mistake so that it will not occur in the future. So I still intend to vote for the amendment. It has nothing to do with confidence in the government or not. If the government wish to make this a matter of confidence then that is their choice.

I quite agree with what my friend for St. John's South says about ministers acting and being responsible. That is the whole gist of it. The problem with the administration of which he is not part, to his credit, is that ministers tend to weasle out and the Premier tends to weasle out.

MR. NEARY: Mr. Chairman, I did not intend to speak a second time on this amendment. But there were a number of points that came up during the debate.

MR. CROSBIE: Inaudible.

MR. NEARY: The Minister of Finance talks about outdoor toilets, Mr. Chairman, what does he know about outdoor toilets? He was born with heated toilet seats in his house. He knows all about heated toilet seats. This is obviously, Mr. Chairman, another attempt at political patronage. Mr. Chairman, in this bill we are giving wide ranging

authority to the minister. The minister in this case, Sir, is the same minister who on a number of occasions when he was a minister of another department appointed six -

MR. CHAIRMAN: Would the honourable member keep in mind that there is no particular minister named in this bill.

MR. NEARY: Mr. Chairman, all indications from the other side are that it is going to be the Minister of Provincial Affairs, the member for St. John's East Extern because that is the minister who introduced the bill and traditionally in this House, Mr. Chairman, the minister who introduces a bill is the minister who is going to administer it. Sir, that is the same minister who made a number of political appointments -

MR. HICKEY: Mr. Chairman, to a point of order. Does the honourable gentleman for Bell Island want me to table the names of those people whom I have been accused of appointing politically. If he does I will table them. I have the floor, Mr. Chairman. I will table the names. I will table a copy of the report to NAPE, where I was cleared of a black charge.

MR. NEARY: Is the honourable gentleman on a point of order -

MR. HICKEY: I have the floor, Mr. Chairman. I have not yielded the floor. Mr. Chairman.

MR. CHAIRMAN: Order, please! Both honourable members are out of order. The honourable the member for Bell Island, his remarks tend somewhat to be provocative and will in all likelihood make the member for St. John's East Extern rise in his place.

MR. NEARY: Mr. Chairman, the Minister of Finance was the one who brought up the matter of confidence and that crowd on the other side. I did not bring up the matter of confidence, Sir. I am trying to prove to the Minister of Finance that we have no confidence in that crowd over there. That is why I am bringing forth this argument, Sir, because we heard on radio the other day, in an announcement from NAPE, that six appointments made by the honourable minister -

MR. W. MARSHALL: On a point of order, Mr. Chairman. The honourable member for Bell Island I would submit is being irrelevant. The matter being discussed is the business of the appointment of the administrator for the

Lake Apartments, the amendment of the honourable Leader of the Opposition and the whole matter of any government department is not a subject for debate in connection with addressing oneself to this amendment.

MR. ROBERTS: On a point of order, if I may, Mr. Chairman. I submit that the honourable gentleman's point is not well taken. The debate on both sides which Your Honour has allowed has mentioned the question of the competence of appointments, indeed the whole point of the amendment, Sir, is this question of competence. We do not know that the gentleman for St. John's East Extern will be appointed to administer this. Maybe he will not be, especially after today's debate. But he is the minister who has introduced the bill, who sponsored the bill, who spoke in its support and surely the amendment goes right to the root of that and my colleague's remarks are germane and very much in order.

MR. CHAIRMAN: The honourable member is being irrelevant and that the proper procedure would be to move an amendment to Clause (3) 1 which designates the minister and if the honourable member wishes to have any particular minister designated it would be in order for him to move an amendment to that particular clause.

MR. NEARY: I realize that, Mr. Chairman, but I just want to argue why I do not think that particular minister should be the one appointed by the government.

MR. HICKEY: Because I am competent. Eat your heart out!

MR. NEARY: Mr. Chairman -

MR. CHAIRMAN: The same rule applies.

MR. ROBERTS: It is better than Tom's take out chicken.

MR. HICKEY: Eat your heart out.

MR. CHAIRMAN: The honourable member is not to be permitted to make an argument on sub-clause (6) the proposed sub-clause (6), then he has to make the same argument on a possible amendment to sub-clause (1). He must make the argument in one or the other place.

MR. ROBERTS: Mr. Chairman, if the argument is relevant he may make it where he wishes.

MR. NEARY: Thank you, Mr. Chairman.

AN HON. MEMBER: Inaudible.

MR. NEARY: The Minister of Finance, Sir, bully boy.

AN HON. MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, if the honourable minister does not like it he can take his pill.

We were told yesterday, Mr. Chairman, by the minister who introduced this bill that a firm of chartered accountants was to be appointed as administrator. Not a thing wrong with it, if they are qualified. If they are experienced.

MR. HICKEY: Maybe.

MR. NEARY: The honourable minister did not say "maybe" he made a statement of fact, Mr. Chairman, that a firm of chartered accountants. In my earlier argument, Sir, one of the points that I made and I am sure if that particular firm that the honourable minister referred to, that gentleman is a chartered accountant. I doubt it, Sir. I know who the honourable minister was going to appoint and so does the honourable Leader of the Opposition.

MR. HICKEY: Mr. Chairman, I do not suffer from amnesia but I did not mention any name yesterday.

MR. NEARY: Is this a point of order, Mr. Chairman.

MR. HICKEY: I do not recall mentioning any names.

MR. CHAIRMAN: There is no point of order.

MR. NEARY: Thank you, Mr. Chairman.

So we were not told whether this firm of chartered accountants were experienced in property management or not, or if they were actually chartered accountants or were they just auditors. So in my earlier arguments, Sir, I suggested that to give the minister wide-ranging powers like this, some minister on the other side, some member on the other side may be using this firm to audit their own accounts and their own business, I do not know. It could be.

MR. HICKEY: On this side?

MR. NEARY: On that side. It could be.

MR. HICKEY: Inaudible.

MR. NEARY: So he could just throw some goodies to his auditor, a little bit of political patronage. Not say it is going to happen, Sir, but it could be. It could happen. So the Leader of the Opposition is trying to avoid this and he is bringing in a very reasonable and sensible amendment. Where are the freedom fighters on the other side now, Sir? When they were sitting over here, the Minister of Finance, why you could hardly move, you were afraid to move, Sir. He was likely to move down from anywhere under cover of darkness. You did not know where he was coming from. If you turned on your radio, if you turned on your television there he was.

AN HON. MEMBER: Super John.

MR. NEARY: Now, Mr. Chairman, he is sitting over there. He regrets it. He will regret it. He will regret it before he is finished, Sir.

MR. ROBERTS: Super John and Tiny Tom -

MR. NEARY: I did not finish the point that I was making about these.

AN HON. MEMBER: What point was that?

MR. NEARY: These six employees who were overpaid, Sir. We have heard a public statement, and this should interest the Minister of Finance, the protector of the public treasury, the public chest, NAPE says they were overpaid, substantially overpaid but we are not going to recover the money. They are going to be reclassified and downgraded.

MR. CHAIRMAN: The hon. member should confine himself to matters under discussion.

MR. NEARY: So the very same thing could happen, Mr. Chairman, in this particular case of the Lakeside Apartments. The hon. minister, the member for St. John's East Extern, if he is the one who is going to appoint the administrator could throw a few goodies somebody's way. Sir, we are trying to -

MR. HICKEY: If I need any help I will call on the hon. gentleman.

MR. NEARY: Sir, he will not do it with my help because I will not vote for this bill if the amendment is not included in it.

MR. HICKEY: Mr. Chairman, I would just like to add one word before we vote on this amendment. I had a job to contain myself listening to this, the rules of the House, Mr. Chairman, prevent me from describing it and I have had a couple of sojourns in my short career and I like the Chamber very much now so I will not say what was in my mind. Above anyone else in this hon. House to get up and talk about competency other than the hon. gentleman from Bell Island. He must be making hay while the going is good. It is sufficient for me to say that because that matter is before the court too.

Mr. Chairman, it is too bad, it is unfortunate in fact that the hon. gentlemen who sat in government or some of them, I should not really label all of them because I have not heard anything of this kind of tripe out of at least one hon. gentleman on the other side but two, the Leader of the Opposition and the member for Bell Island

with regard to their talk about corruption and this kind of garbage, if you put the two of them in a bag, Mr. Chairman, it would be hard to say which would come out the first. But this is what we have to listen to everytime, everyone as suspects. When anyone announces anything on the government side, this is what you have to listen to, a charge of corruption, someone is going to get fat, someone else is going to be appointed.

MR. CHAIRMAN: I must remind the hon. member that we are discussing a proposed amendment to the bill and if he would please confine himself to these matters.

MR. HICKEY: That is what I was about to do. Mr. Chairman, all I am saying is that this whole debate today is unnecessary. It could have been done yesterday but for the arrogance of the Leader of the Opposition who was spurred on by the member for Bell Island. It is too bad that the Leader of the Opposition does not get someone else to advise him. Mr. Chairman, I am going to vote against this amendment because it is completely -

MR. ROBERTS: Well, Mr. Chairman, the hon. gentleman has found it hard to contain himself. I must say over on our side we have had considerable mirth watching him trying to contain himself. I must say he is a very containerized fellow.

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: I am sorry, did somebody have some contribution? Did the hon. super-John have a word to say?

AN HON. MEMBER: No, it was super-Al.

MR. ROBERTS: Super-Al did. No, there is no super-Al, Mr. Chairman. There may be a super-John. Well I am disappointed to hear the minister, Mr. Chairman. He can say what he wants about me personally it does not really bother me, as a matter of fact I am quite flattered at the attention the hon. gentleman pays to me.

But with respect to the amendment, I do think it is a reasonable and a sensible stipulation to put forward. This is a property management matter and the amendment does not require all the other things which could be required, that the person be nineteen which is the age of majority in this province and that he be a citizen etc. etc. What it does require, it goes to the heart of the matter, it says he be experienced in property management. All the minister is saying and his colleagues have to support him, they are in the same cabinet and the minister must have their support. I mean he has to as that is the nature of the system, for which he should be grateful.

AN HON. MEMBER: The hon. gentleman can suffer too.

MR. ROBERTS: I am not suffering, Mr. Chairman. Indeed I can tell the hon. gentleman if Your Honour would permit, I used to envy the gentleman from St. John's Centre when he was Leader of the Opposition. It is a great job. It really is, sure. One gets a minister's salary and one does not have the minister's headaches and one has all the fun of being in the House and all the responsibility and all the opportunities. It is a great job. Everybody should have it for three or four years. Maybe the hon. gentleman will have it one of these days.

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: Well, we do not have our backbenchers going on television predicting leadership races. That is the hon. gentleman's party.

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: Oh, they are welcome to go on television, very handsome and photogenic fellows they are. But we will be having a leadership race, if the hon. gentleman would like to contest it, he is welcome to.

But, Mr. Chairman, to come back to the amendment, I am surprised that the government are not going to accept it. We put it forth in the spirit in which the bill itself came in to try to resolve

a most unfortunate situation which has occurred in St. John's and which the courts in due course will resolve but it may well take the courts, because of the very nature of the matter it may take them a while to resolve it so the House has been asked to step into the breach. Well, we are willing to do our part - I wonder if the hon. gentleman from Harbour Grace and the hon. gentleman from Port de Grave would keep it down to a dull roar. Thank you, gentlemen. Thank you, thank you! If they would like to speak in the debate, Mr. Chairman, I would welcome it. Hold on now, the gentleman from Burgeo erupts. Good, good! I thank the hon. gentlemen, Mr. Chairman. It is easier really when one does not have the incessant gabble at high volume.

We put forth the amendment in the spirit of trying to improve the bill somewhat. I am sorry that the government have chosen to reject it but that is it. They have chosen to reject it and there is no point crying over spilled milk. We shall vote for it and they shall vote against it. I predict that thirty-two will outvote eight and that is the way it is. However, I think the matter has been thoroughly debated and unless someone on the other side wishes to leap in again, I do not propose to say anything more at this time.

MR. CHAIRMAN: I move that Clause (3) be amended to insert sub-clause (6) which reads as follows: "An administrator appointed pursuant to subsection (1) shall be a person who is experienced in the business of property management and shall have had experience in managing properties such as those premises situated at 115 Forest Road in the City of St. John's." Is it your pleasure to adopt the said motion? Those in favour, "Aye," those against, "Nay." I declare the motion lost.

Is the committee ready for the motion on the proposed sub-clause (7)?

MR. ROBERTS: Well, Mr. Chairman, I do not propose to anymore unless

some of the other hon. gentlemen opposite wish to debate it. Again I think it is a reasonable amendment and I put it forth in that spirit. I hope it will be accepted.

MR. MARSHALL: Just a few words, Mr. Chairman, on it. We have no objection to accepting reasonable amendments. We have accepted probably more in the last year and we probably will more this year than had been accepted in the whole previous twenty-three years. But what the nature of this amendment requires is that the administrator shall be bonded in an amount at least equal to the total of all monies which maybe reasonably foreseen to receive in trust from the tenants of the afore mentioned premises. Now as the members of the opposition have indicated, the measure taken by the government in this act is a rather unusual one whereby the government have had to come in and interfere with, not interfere but put itself into a private dispute for the purpose of

Mr. Marshall.

for the purpose of protecting the tenants down at Lakeview Apartments. At the same time government wish to do it with the minimum amount of expense because the expenses will ultimately have to fall upon the owners of Lakeview Apartments, eventually. The provision with respect to this: We are going to appoint a reasonable administrator. We do not know at this particular stage as to the cost of bonding. The cost of bonding may be very high. The government itself will be taking steps to see that the administrator who is appointed is a reasonable administrator. We have given protection in the bill itself today. Even today we have extended the protection to the property owners, the ultimate people, who will ultimately be adjudged to be the property owners, by protecting them against the negligent acts of the administrator himself and for this reason, we will vote against this amendment. At the present time we do not know the amount that is going to be involved in it. We think it is an unnecessary expense at this time to cast upon the individuals concerned. Government fully intend to and will accept the responsibility of this action in this case as in other instances and we do not necessarily need our responsibility to be further fortified by a bond which is going to ultimately increase the cost of this particular exercise.

MR. ROBERTS: Mr. Chairman, I am disappointed but not surprised by the attitude of the minister or of the government. There is no point of going over the ground again, again and again. They are obviously not going to listen to reason on this so why bother. I regret it. I think the amendment is a good one. Again, perhaps the wording could be improved. I make no pretense to being a draftsman, Sir, none at all. I submit on the evidence before Your Honour, I have reason not to make pretense that I am a draftsman of statutory provision. The point about the cost of bonding is well taken. That could be met easily enough by putting a ceiling in,

provided that the amount of the bond is not to exceed so and so. However, that is not the minister's argument. What the minister is really saying - the reason I understand that they wish to vote against it, and they intend to vote against it, they just do not want any restraints at all on their discretion. Well I cannot change their minds on that point. I disagree with them. I regret it very much because when this administration took office, I genuinely believed that they were willing to make the administration, the executive of the government, reasonably subordinate, reasonably subject to the House of Assembly. On the evidence we have here today, they have no such intention any more, if they ever had it at the beginning.

MR. CHAIRMAN: It is moved that clause (3) be amended to insert (6) as follows: "The administrator appointed pursuant to subsection (1) shall be bonded in an amount at least equal to the total of all monies which he may be reasonably foreseen to receive in trust from the tenants of the aforementioned premises."

On motion clause (3) as amended, carried.

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

MR. HICKEY: Mr. Speaker, before the committee rises, I have just been informed by my officials who have been attempting to find someone to administer the affairs of the Lakeview Apartments, that the firm of Baird and Baird, Chartered Accountants, have agreed to administer the affairs of the Lakeview Apartments as long as necessary, while the case is before the courts.

Mr. Chairman, in making this announcement, I make it with pleasure. The firm of Baird and Baird are well-known.

MR. CHAIRMAN: If the honourable minister would submit, it probably would be more in order for the honourable minister to make the statement while the Speaker is in the Chair rather than in committee. It appears to be a ministerial statement.

On motion that the committee report having passed bill no. 44 with some amendments and ask leave to sit again, Mr. Speaker returned to the Chair.

On motion report received and adopted.

On motion amendments read a first and second time.

On motion, a bill, "An Act Respecting An Administrator For Lake Apartments," read a third time, ordered passed and title be as on the Order Paper.

ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

MR. SPEAKER: The hon. member for Labrador South.

MR. M. MARTIN: Mr. Speaker and members of this honourable House of Assembly, I rise at this time to bring greetings from the people of Labrador South to this Thirty-Sixth General Assembly. I wish first of all to express on behalf of myself and the people of Labrador South our thanks and appreciation for the many kind words of welcome extended to me by the other honourable members here. I wish in particular to thank the hon. the Premier for his words of assurance that my district will not be neglected by his government as it was by past administration. We await with great anticipation the material manifestations of his stated sympathies toward our plight.

I wish also to thank the people of Labrador South for the very great honour they have bestowed upon me in sending me to represent them in this honourable House. It is with a profound sense of the privilege of joining this Assembly that I accept that responsibility.

I should like first of all to say a few words about my district, to acquaint the honourable members with a brief history and character of Labrador. Our history though not uneventful cannot perhaps claim such a prominent place in the annals of world events as that of Newfoundland. It may be that the singular most significant event was the establishment of a permanent settlement by our European forefathers over two centuries ago.

Mr. Martin.

Prior to that time our Indian and Eskimo ancestors had already well-established and sophisticated cultures wedded to the bounty of the land. The major difference between the Europeans who came to Labrador and those who came to Newfoundland is that ours, instead of murdering the indigenous peoples, married them and with them became a part of the land. It is a land whose awesomeness cannot be ignored. Its character was articulated perhaps as well as it ever could be by that great Canadian geologist, Lieutenant Colonel William Wood who said, "Labrador is a wild land, ruthless, bare, strong, that seems to have risen overnight from chaos, dripping wet." Its formation is older, far older than man. It is older than the original progenitors of all our fellow beings, millions of years ago. It is the only land left now on the face of the earth that actually stood by when life itself was born and for those, Mr. Speaker, among this honourable Assembly who have been privileged to tread upon that land, Lieutenant Colonel Wood's words will have a meaning far beyond the mere rhetoric or scientific description.

Labrador is a land which from earliest times has stamped its indelible imprint upon its children. It is a land not yet brutalized by contemporary civilization beyond the point where we cannot still here the spirits of our ancestors. It is a land which has mixed within the blood lines of our founding races a profound sense of the frailties of human nature the intrinsic dignity of life. Our recent history has within its fibres all of the qualities of a first-class tragedy, yet we have never considered ours a tragic lot, accepting it rather as another episode in the larger scheme of things. Some who know no different have put it down to poverty. There is no poverty in Labrador, Mr. Speaker. We may be lacking in many of the material amenities of life but there is no poverty of spirit.

We were hunters, trappers and fishermen and many of us did.

quite well. Some even becoming wealthy in a modest way through honest endeavours. In latter years we have moved along a slowly declining economic plane, helpless because we did not understand the pressures acting upon us from the world outside and made more so because even if we did understand, we were lacking in the wherewithal to do anything positive to alter its course.

The terrible destitution of the depression never really gripped us the way it did many less fortunate parts of the world although I would not dismiss the fact of its hardships. We were relatively well off, tied as we were to the platitude of the land, and the land was kind. Yet we were likewise largely untouched by the prosperity of post-war years, Having slipped into an eddying backwater of Confederation, if anything we were in many respects far worse off as a result of our becoming Canadians, although again we are mindful of the fact that this great nation at least gave us the cash with which to sever the bonds of economic servitude under our paternalistic merchants.

We, the trappers were ourselves trapped in a cage whose closing was totally incomprehensible and unheralded. Science and synthetics foreclosed on our fur industry and those of us who depended on trapping for a livelihood began a slow descent into our own individual economic depressions, painfully conscious of our own helplessness.

Our governments and our short-sighted and greedy mercantile houses allowed the fishing industry to die a horrible death and thus our only other source of livelihood was taken from us. Slowly the truth dawned upon us that the despised goal, charity dressed up and called welfare, was to be our lot. Men who might in the depths of despair have gone to the merchant house in the darkness hours to collect the dole order rather than openly admit his own disability, were being caught but no one cared whether the spirit shrank,

lapidified and died, just as long as those responsible did not have to be confronted with its rotting carcass.

So, with the blessings of Canadian citizenship we came to learn an entirely new kind of economic slavery called welfare. Our new government with its bottomless casque of Canadian largess was made up of men who knew the old merchant system and its value as a source of power so we became economic slaves to another breed who rather than put proud men back on their feet, bound them in new chains and taught them how to love them.

Confederation had broken us free of our dependence upon local merchants, who at least had faces and could be reckoned with, but instead we were thrown to the mercy of faceless, formless, disinterested politicians and bureaucrats and their heinous assistants.

Ladrador was and is a colony within a colony. Prior to 1949 and Canada, Mr. Speaker, Newfoundland even denied us a seat in the National Legislature. Since 1949 we have been subjected to a parade of carpetbaggers who at best held only a nodding acquaintanceship with our problem and often caused new ones by their very presence. Labradorians have been forced to suffer the indignities of exploitation by a nation of exploited people. Totally dependent upon the paternalism of the merchant and clergy, never encourage to self-dependency on matters outside our own narrow community of interests, it was denied any involvement in the political process, we were dependent in the worse sense. This kind of dependency, Mr. Speaker, has a demoralizing effect upon any peoples. But in Labrador the spirit is not dead. There is still a vitality, a dynamism which will not be dampened by this kind of suttle persecution. It is a measure of the vitality of Labradorians that I am here today in this honourable House. The dynamism is still there and the people of Labrador have attempted, through our movement, to take upon themselves

their own responsibilities. This is why the traditional political parties have been so questioned in Labrador.

You may remember, Mr. Speaker, that at first we were accused of being a separatist movement, a neat ploy to discredit us, and not an entirely unexpected one by other political parties. But I wish to reiterate here what I have said many times in other public forums that we are anything but separatist, though God knows we have every reason to be so.

Ask any person in my district what first impressions bring to mind when you mention the word Newfoundlander and you will probably get something like this - Newfoundlanders are people who send us down second-rate goods to be dumped upon a captive market at intolerable prices. Newfoundlanders are the people who get all the good jobs in Labrador West while we have to stay home on welfare and unemployment insurance. Newfoundlanders are the people who come down the coast on a \$6 ticket on a special CNR boat first thing in the spring and steal our best fishing berths, while the spring ice still traps us in the bay. Newfoundlanders are the same people who tell us that to get out to our own fishing places, on the same boat, a fraction of the distance that carried the Newfoundland fishermen, will cost us three and four times the special \$6 ticket that Newfoundland get. Newfoundlanders are the ones who get the water systems and the fish plants and the air strips and then tell us that we cannot have these things because they are too expensive for us. Newfoundlanders are the people who get their roads cleared of snow while our children have to stay home from school for weeks on end because other Newfoundlanders have decided that we have too much snow clearing equipment anyway.

These are some of the first impressions that might spring to their minds. The wonder of it all, Mr. Speaker, is that there has not already been a serious and successful separatist movement, all of the ingredients are there to be sure.

But then again we really know that it is not quite that simple, because Newfoundlanders are also the people we have fished alongside of for years and we know that they have had it just as bad as we. Newfoundlanders are also the people with whom we have shared the good seasons and the hardships and into whose families we have married for generations and we know that it is not Newfoundlanders who are responsible for our condition but the greedy and narrow-minded insensitive few at the top of the heap, who have control of all the power.

We have come to understand that our fellow Newfoundlanders have to suffer in their own way the indignities of a system over which they have no control - a control for which they hunger and as much desire as we do.

The problems of my district, Mr. Speaker, the problems of Labrador differ from those of Newfoundland only in degree. We all suffer from the same inequalities and injustices perpetrated by the very same system. Labrador South, Mr. Speaker, is but a microcosm of this whole nation. What happened there last August is merely a manifestation of the mood which is gripping this country. The two other worthy candidates who ran with me in that election campaign, and those in their parties who helped them, should not feel so badly the pangs of defeat by one with such poor, very poor credentials. The fact is that the credentials of traditional politicians are no longer valid. The reasons they are not valid gives us real cause to hope.

Those in this honourable Assembly who would doubt my analysis should look beyond the boundaries of our province and witness the changing mood of this nation. We are listening, Mr. Speaker, to the first murmurs of national adolescents. Like any adolescent, this country is restive and grasping for something more substantial than the tired soundings of political trumpeters.

I submit that this substance, Sir, which we seek is our own self-reliance, the assurances that this land, this nation does in fact have something going for it. We all saw the first awakenings of it when a man we had not heard of before, called Pierre Trudeau, took us by storm a few short years ago and we indulged in something of a national hysteria which knowledgeable people call charm, charisma and even worse. But I believe, Mr. Speaker, that charisma had very little to do with it.

Mr. Trudeau waved before us a vision of a new society, a just society which became a rallying cry and we, a nation of believers, fell in behind and for a while there he touched a real cord, he really did. For a while all of the nerve endings were alive to this new sensitivity of this utopian concept that we were looking for, a thing called justice.

Again, Mr. Speaker, we awoke one October morning to the tragedy of Pierre LaPorte and the horrible theatrics that followed and we began to learn with a terrible agony that is a part of growing up that we had been hoodwinked again, that our just society was no more than a magic lantern image conjured up by the wizardry of some Toronto madman. So along with the pain of the awakenings of our adolescent awareness we discovered that when we get too close to those whom we have placed on pedestals that inevitably we see their feet of clay sticking out through the holes in their socks. We are none of us infallible, as the fathers of our democratic system discovered many years ago and it was because of that sad fact that they devised, perhaps after much persuasion, this forum for debate as one part of an intricate mechanism for the protection of justice.

One may play political games, Mr. Speaker, only so long as one does not step outside the accepted rules. Justice and all that that means to us must not be toyed with. We in Labrador South may not have known much about the rules of politics but we did have a pretty fair grounding in the rules of fair play and justice. Labrador South, Mr. Speaker, and hon. members underwent a crash course in political manoeuvring last year and as a result is probably as much aware of how the political system works as any other segment of the general electorate in this country. That is why after questioning the validity of the other alternatives they chose to send this candidate to represent them in their House of Assembly.

One could hardly say, Mr. Speaker, that the people of Labrador

South did not know what they were getting into. Many of the hon. gentlemen here in this Assembly today took us up on our invitation to come down to Labrador South and see for themselves what they have been saying all these years and whether or not it was true, and they did. After examining the situation they did well and truly inform the people of all of the possible consequences of sending me here to represent them in their parliament. They had a right and a responsibility to do that and we are grateful for their dedication to duty.

That election in which I was returned, Mr. Speaker, was, you will recall, a by-election and the question of which party should form the government had long since been settled. Furthermore it was the third election in that district in a period of twelve months. The electorate could hardly then have been called an uneducated or a disinterested one. Had the people of Labrador South wanted their representative to be in government, they knew exactly how they should vote. There was absolutely no doubt about that. If on the other hand they simply wanted their member in the opposition, they were equally well informed as to the course open to them. Their action then in sending me here to represent them seems almost irrational until one comes to realize their reasons. What the people of Labrador South were really trying to say was that this hon. House no longer reflects their own best interests but it had become quite insensitive to their desires in that an entirely new approach had to be taken to the solutions of their problems.

If this is the case then, Mr. Speaker, and if Labrador really is an indicator of a new political move, then the hon. members might well agree that it is indeed time to sit down to devise a new plan of approach. If we are going to deal effectively with the problems of our society it is essential that we have at least a rudimentary knowledge

and recognition of their root causes. We have problems of unemployment and underemployment and underdevelopment, of course, but the underlying cause of our inability to cope with these problems is, I submit, Sir, because we lack a collective sense of self-reliance.

Historically we have been molded to be subservient and responsive only to the wishes of those who have exploited us. Because of the manner in which we have allowed our society to be shaped, we have never learned how to deal with the real matters affecting our society. The power which we needed to deal effectively in significant decision-making was so concentrated that it was far beyond our reach. Even those of us who recognize that fact, or the answers to the matters in question, were incapable of influencing those who held the power.

Our people in this Province of Newfoundland and Labrador, Mr. Speaker, had been conditioned into paternalism and as a result had become quite impotent. Consequently it has only been since Confederation freed us from the economic bonds which bound us to the merchants and after higher education and improved communication have freed us from the bonds of superstition, ignorance and fear which bound us to the clergy and later to the government, that we have begun to regain our sense of direction and self-esteem. To have been forced to develop a society under the strictures of this devastating paternalism and exploitation was demoralizing. Not only did it minimize the input which we could make into society and prevent us from developing our own talents for the benefit of the community but it placed a tremendous onus upon those who did wield power. Where power is so concentrated in the hands of a few, it places the responsibility for a good government even more firmly upon them. One who would exercise paternalism and be effective for the common good must be of the highest moral order. Yet the history of politics in this country has not been a very high moral plane to say the least. Those who have

held power have been found to be sadly lacking in great visionary dedication. There is in fact a very squalid aspect to our political history, a fact to which the record books will all too blatantly attest, I am afraid.

So one must understand this history, Mr. Speaker, then, even more, must genuinely feel the perversion of it in order to arrive at the root causes of our problems and thereby the solutions to these problems. It will do us little good to talk of restructuring the machinery of government if there is not also a total restructuring of our society itself. That can only be done if we have a clear and a definite understanding of who we are, where we are and where it is we are heading. If we are going to readjust and rectify the injustices of this society then we must put in balance the imbalances which now exist within this society. If we are to do any more than merely increase marginally the material well-being of our people, we must drastically alter the criteria upon which our society is developing if not we will simply perpetuate those injustices and imbalances.

We are, Mr. Speaker, and we must understand that we are first and foremost a fishing society. Never mind the latter day trappings of the industrial revolution, our problems are rooted in the fisheries and the solutions to those problems must be sought back there along the origins of our society. Ours, as I have said, is a fishing society but with a history of notorious paternalism. Paternalism has denied us the education we need to develop our own talents and the confidence to manage our own affairs. This dependence upon others has demoralized us and created an attitude of cynicism which we all recognize which in turn prevents the fertilization of communication. This has been manifested in our shamefaced admittance of our heritage as a fishing society.

Clearly the development we must be thinking about is not

the piecemeal development of resources but an overall development and redevelopment of our society as a total entity. When we do talk about the development of resources, we must then think in terms of development for the common good, not just for the good of a selected few. Then, of course, we must somehow define what the common good is to be. I would ask, Mr. Speaker, whether that definition can be found by the few who hold the reins of power without reference to the public forum

or will the development continue to be for the benefit of the few who will hold on to power? Or whether they in their wisdom decide what is for the common good. We sometimes suspect that perhaps we do not have that ability.

These, Mr. Speaker, are questions fundamental to the delivery of good government. The answers to these questions are much too complexed to be uncovered by the labour of a mere few powerful people no matter how unselfish, dedicated or farsighted they may be.

We must therefore make it possible to derive some input from those whose right it is to share in the benefits of development. The first step in this direction, I submit, Mr. Speaker, is the rehabilitation of our public institutions to make them truly public in the classic sense of that word. If we are to overcome the socially debilitating effects of the cynicism which prevades all levels of our society we must restore to our public institutions the sensitivities which will allow them to respond fluently to the public's demands.

There has been and there are other affluent societies which have flourished and progressed while perserving the final aspects of their culture without being disparagingly apologetic about their heritage and I refer of course to the Scandinavian countries.

I was most pleased to hear, Mr. Speaker, the references in the Thorne Speech to Scandinavian type of approach - Scandinavian planning I think it was called. But I really wonder if anyone among those honourable gentlemen here assembled knows exactly what Scandinavian planning is all about. The time when this theme first came in vogue they had a nagging feeling that maybe they did not really understand it. I am now confirmed in that opinion. All evidence of the activities of government over the past year indicate that these honourable gentlemen who use the term so glibly know in fact very little about what Scandinavian planning is. It is either that, Mr. Speaker, or that somehow

someone has dissuaded them against that course of action.

But of course the Scandinavian formula allows for none of the imbalances which work so favourably for the few who manipulate power in this province. Among other things the Scandinavian approach to government would allow for a broader power base than it appears that this government is prepared to encourage. It demands more sensitive public institutions for the benefit of the majority of the people, sometimes which is not possible under our present system. The Scandinavian system relies for its source of strength upon agencies such as trade unions, co-operatives, price control boards, marketing agencies along with, of course, the legislative safeguards to protect their integrity.

Such a system is quite obviously alien to our form of government. The real test of this government, Mr. Speaker, the real test will be how they do with these building blocks of a democratic social order. The previous administration did pay lip service to such concepts. They had a chance, Mr. Speaker, to equalize the inadequacies of our society. But not one of these honourable gentlemen here while they sat on that other side of the House had the courage to grasp that opportunity. Now after a whole year in office, a major restructuring of the machinery of government, it looks very much as though the honourable gentlemen who occupy those same seats on the other side of the House are falling into that same comfortable rut.

We all know, Mr. Speaker, how we have been subjected to the almost obscene scrutiny of experts and planners who would deal with the problems of our poor backward race. It is, Sir, a reflection of the twisted values of those responsible for bringing this plague down upon us that they were chosen not from a similar culture, not from a more progressive and more developed fishing society, but from that cultural aberration that is the Ottawa bureaucracy. Nothing, Mr. Speaker, could be more alien to our cultural traditions than the ideals of someone schooled in the social

order of urban Ontario. Yet these are the very people who have been brought in to plan the destinies of a nation born of the fishery and the maritime trade, so incongruous as to be asinine.

These urban school planners have no concept of our fishing society and cannot be expected to know. More often than not they have through their efforts, sincere to be sure but misguided efforts, only wrought more havoc than anything else. In fact, Mr. Speaker, the only experts to ever come here with any sensitivity at all for our way of life have come to us from Scandinavian countries. People such as Ottar Brox for instance, a gentleman of some prominence in Norway. Who I presume was the source of reference for the Scandinavian planning. People such as Mr. Brox know the problems facing our society because they have had to grapple with similar problems themselves. I submit, Mr. Speaker, that we could do far worse than to pattern our social and political institutions after those of Scandinavia. Iceland, for instance, developed a very model of the parliamentary system on which ours is based. It is a shame, Sir, that we did not follow more closely their ideals, if we had then this honourable House today would enjoy far higher esteem than it does.

To me it is a great privilege and honour to sit in this House. But I have no illusions as to why I am here. The people of Labrador South, Mr. Speaker, who have sent me here to represent them, knew full well the possible consequences of that act and yet I sit here today in this prized seat. Why? The reason, Sir, is this: After being exposed to both extremes of the political experience, after being so totally ignored for so long and then to be so completely emersed, the people of Labrador South chose to symbolize their distaste and distrust of traditional political institutions by sending me to sit in this honourable House as a continual reminder of their mistrust of the other honourable gentlemen who occupy the seats of this Assembly.

So now, Mr. Speaker, I would like to ask those gentlemen if they can

understand why it is that a people with so much to gain and so very much to lose should have to go the extremes of sending someone like myself to their parliament. These gentlemen can tell me why they would have gone a long way toward bringing back to this honourable Assemble the dignity and respect which it is due and will perhaps be the first step in making it again reflect the aspirations and the needs of the people and become at last relevant in our society.

I am not sure whether I can articulate these reasons myself but I do know that I am proud of the role to which I have been assigned. I am privileged to accept it. I know too, Mr. Speaker, that there are others in this honourable House who feel much the same way as I do, perhaps for different reasons but who for all of that feel just as proud and privileged as I do to be here. I know that there are still others who may say that they are privileged but they know how they got here and they know within their hearts and souls why it is that they are here. Regardless of how and why, each will have to look within his own soul and discover what he is going to do about it, now that he is here.

It sometimes seems, Mr. Speaker, that we lose sight of the real reasons for our being here. We sometimes forget that we are here to protect the best interests of the people who sent us here. The best interests of the people, not the best interests of government or politicians or political parties or bureaucracies, the best interests of people. All the rest are very well served in the corridors and the back rooms and in the offices of bureaucrats. Everything has its own time and its own place. But it is here, Sir, in this honourable House that matters effecting the lives of the people should be taken above the squalidness of partisan politics and selfish interests.

This Thirty-Sixth General Assembly has I believe among other things a unique opportunity to restore

to our parliament the dignity and integrity of which it was so shamefully stripped for it is our parliament after all, when everything else is said and done, that gives our people the voice in the governing of their own destiny.

This honourable House of Assembly is more than anything else a symbol of their integrity and their faith in themselves. The people who sent us here, Mr. Speaker, know that whatever has happened before, when a matter finally enters the precincts of this House it is to receive very special consideration. It is here, the people know that through the mandate elected it is here that their best interests are to be protected. Regardless of whatever has gone before, regardless of motive, regardless of how it got here, regardless of how it was designed or by whom or who is going to benefit from it in the corridors, that once that particular matter reaches this House then it becomes our job, the job of the honourable members of this House of Assembly to put it through the cleansing process. It is our duty, Mr. Speaker, to see to it that it does not get back outside where it is going to effect the lives of people, until it is clean, until it is in fact in their best interests.

The state of our social institutions is no more than a reflection of the quality of leadership developed and delivered by those who guide these institutions. This honourable House of Assembly, Mr. Speaker, has been brutalized and vulgarized far beyond the bounds of decency. This honourable House has been in the past subjected to the most terrible, the most horrible abuse by those who sought to further their own aspirations to power and glory. If we are to talk about giving back our people their self-respect and their honour and their dignity, then there is no better place to start than right here, the very symbol of these ideals.

It is a measure of the contempt which political leaders can have for the native intelligence of the people who elected them, that

they display such a contemptuous disregard for those ideals. Do we really believe, Sir, that ordinary people collectively, the people that sent us here cannot understand that power of corruptness? Are we going to continue to go so naively about our business believing that the people who sent us here really do not know about human weakness. They understand, Mr. Speaker, better than any of us here do, I am sure, that bureaucracies can be corrupt, that politicians can be corrupted. They know, far better than we do, all about the frailties of human nature.

Those who have been placed in positions of power and trust and then become corrupted go around trying to hide their corruption, trying to camouflage their plans and policies when they become twisted and misshapen. Yet the people who place that power and trust in their hands know far better than the corrupted when those plans and policies fail because, Sir, it affects their lives. They know because they are then made to get down on their bellies and crawl to get action. They know all too well because they have to get down into the slime and the gutter of corrupt politics in order to get what should have been theirs by natural processes. Oh yes, Sir, people know all about corrupt politicians and how corrupt they can become or what can happen through mismanagement or misdirection of their own affairs which is perhaps just as bad.

Yet, you know, in spite of that knowledge they expect that somewhere along the line something in the process was built in somehow for their protection. At some stage there is they know a check point to protect their best interests in the scheme of things. In spite of it all, they expect that at least a measure of it will get through to them and that is why we are here.

It is not the failure of the people who sent us here if they do not reap the benefits of their development of their own society. It is us, ourselves right here in this Assembly, Sir, who get caught up in

the theatrics and the drama and the circus of the whole thing. When we display our shortcomings and allow ourselves to blaspheme and besmirch the dignity and sanctity of their House it is disillusioning and offensive for them to look upon us and watch us break faith with their trust.

What all of us in this honourable Assembly must be mindful of, Sir, is that we are merely servants of the public will. Do we possess within ourselves the courage to see things, not as they are but as they could be and then act for the common good?

We are in a unique position to be able to learn from the tragic mistakes of the past and create for ourselves a society which will truly fulfill the aspirations of all levels of the social order.

The question before us is whether we have the wisdom and the courage to do so. Only our own humanity stands in our way. Mr. Speaker, gentlemen, history will no doubt record that answer.

MR. SPEAKER: The honourable member for St. John's North.

MR. J. A. CARTER: Mr. Speaker, I would like first of all to congratulate the Deputy Speaker on his election and I have every confidence that his will be a very illustrious term of office. At the same time I would like to congratulate the member for St. John's South for proposing this Address in Reply and the member for Grand Falls for seconding it.

Although he is not in the Chamber, I would like to congratulate or offer belated congratulations to the Minister for Environment on his birthday. I believe it was because he was born on February 14th that his middle name is Valentine and although this year finds him a year older, I hope he is not down in the dumps or should I say down in the dump.

I would also like to quite seriously congratulate the Leader of the Opposition on his forthcoming engagement. These days we assume naturally because marriage is a commonplace occurrence that it is yet an ethical step and I have every confidence that he will find this a fulfilling experience. In a lighter vein, I hope that it will assuage his pride and abate his malice.

However, time will tell.

I would like to congratulate the member for Labrador South on his, what I feel was a speech indicating grave concern not only for his district but for the future of politics in Newfoundland. I feel that it was a measure of the shortcomings of both of our parties that we do not at present represent Labrador South. It is unfortunate that the people of Labrador South do not see fit, first of all to place their confidence in the Conservative Party and secondly, not to place their confidence in the other parties. I feel it is a mistake to form splinter parties. I myself firmly believe in the two party system. I think the multi-party system is an exercise in futility.

And so, Mr. Speaker, in rising to debate the Address in Reply I do so as a supporter of the government. Although I have been critical of this party in the past and will no doubt be critical in the future, I consider the present administration to be far ahead of the one that preceded it. I also have considerable faith in our party to root out abuse where it becomes evident and to act as a watchdog over government generally. Needless to say, I do not have the same faith in the other party.

The role of the opposition is that of devil's advocate and there have been some unkind enough to suggest that some of the members opposite smell of a bit of sulphur. However, it is their purpose and their aim to sneer and trap, expose and defeat and perhaps replace the government where possible.

However, I see the purpose and role of the government backbencher

as one of a constructive critic, constantly trying to influence the government to see the things the way he does and doing the best at the same time for his own district, always mindful of the general welfare of the whole province. Although we are elected to represent our own district, this is merely an electoral device and it is more than a truism to say that we are here to represent collectively the Newfoundland people.

I take the position that parliament is supreme in its own sphere and that the government is a creature of parliament and responsible to it and that that the first loyalty of those of us who serve in this House is to this House itself. Therefore, it follows that government are accountable to us here for its performance, past, present and future. We are not an obstruction or barrier to government, a necessary evil to be placated or jollied along and gotten over as quickly as possible. This House should sit, in my view, for an extended period, say from October to December, from January through to April or May. Looking around me, I do not doubt the ability of the present members to fill the ensuing pages of Hansard with lively reading. Since this House is open to the public, both personally and through the press, it should also keep up with the times and admit television and radio. This is not to say that every sitting should be broadcast or televised but that the media should have the right, after giving reasonable notice, to set up their equipment and relay our deliberations to the wider public that they serve. Now I well remember some years ago when the present Minister of Education was the Leader of the Opposition, that a procedural wrangle arose and it became necessary for the then Speaker to listen to the tapes of what had gone on several days previous. The tapes presumably were catalogued and it was quite an easy matter for the Speaker to regurgitate previous sessions.

The Leader of the Opposition at that time also requested

the same privilege. Now at that time we did not have Hansard, although any individual member could get a type-written copy of what he said. The then Leader of the Opposition did not - the same right was not extended to him. He was not able to listen to the tapes. Now I think that this was arrogance pushed to its furthest limit. While I am not one of those who insisted that we have a daily printed record, if in fact the difficulties were insurmountable as they did seem to be then, it was the question of getting enough secretarial staff. All the same I think that even in those dark days those who were elected to the House should have had the right, after reasonable notice, to listen to the tapes or the transcriptions of what had gone on. By the same token, using the same point, I think it is only right that the television and radio should have the right, after reasonable notice, to set up in this House.

Now by checking with the House Leaders, they can know what the order of business is going to be. The press can then use their own good judgment as to whether it is good material or not. For instance, we could be investigating the present member for Bell Island and this would probably make lively television or radio listening or we could be investigating the Leader of the Opposition or sentencing the Brothers Rowe for, you know, conspiring to obfuscate. It could be any number of things. We could be naming some honourable member. I believe this House has the right to try and -

AN HON. MEMBER: (Inaudible).

MR. CARTER: Possibly, possibly - if the press were interested in such a -

AN HON. MEMBER: (Inaudible).

MR. CARTER: I believe the honourable member is baiting me. Might I suggest that the honourable member is a master at baiting.

This government are or ought to be very busy. While the House is sitting, the rest of us should be fairly active. I feel that we could

achieve far more if we were all to make extended use of the committee system. There should be a committee on every aspect and department of government. Legislation dealing with a particular subject could go before the appropriate committee and be thoroughly reviewed. This is not to say that it would not be fully debated later in the House. I feel that in most cases, if the two House Leaders were to get together, the House would accept the committee's recommendation. This is the way it is done in other parliaments or so I understand. It would be a simple matter to amend the rules of this House to provide for such a procedure. It seems to be an unwritten rule of cabinet government that the report of a committee is just about the final word on any subject.

Now I would like to sort of divide my remarks into a number of categories. I feel that the Speech from the Throne offers a very full and active year for the government but at the same time I would like to make a few remarks that go rather beyond the present Speech from the Throne. As it is known, the Speech from the Throne is a general document that lays out in general terms what it is the government's intention to do. First of all I would like to make a very brief remark about economic development.

Newfoundland has three renewable resources which not only can be exploited but also increased by their wise use and management. They are, of course, our fishery, forestry and our agriculture. I have deliberately excluded minerals and oil because these are extractive and non-renewable and I believe should be viewed as a bonus, the proceeds from which should be invested rather than consumed. In the realm of fishery, we must get control of more of our fishing grounds and steadily improve our product. This, I feel, is being done perhaps too slowly but I think we all know what has to be done and I think we are on the right track. We still need to rationalize our forest resources. Too much was given away in the past. We all know that we must have greater control

in this area. I hope this will come about.

Agriculture in this province still lags. We import so much of what we could grow locally. I believe the Minister of Rural Development feels this way, too and schemes to promote farming will receive his utmost attention. While I am on this point, it is interesting to note, Mr. Speaker, that developments in new strains and new hybrids, forgetting the honourable member's opposite for a moment, have developed to such a point that it is now possible for us to compete with other provinces for agricultural products, especially when you consider that we do not have the added problem of transportation to worry about, if they are home-grown.

Now, although St. John's North is not the prime farming community among the St. John's Districts, I think it ranks second. St. John's South, with the Goulds and Kilbride places St. John's South in the forefront in terms of agricultural potential.

Still, I have had a number of very urgent calls from farmers in my district and in other districts around St. John's, extremely concerned about the possibility of agricultural land being used for real estate, being built upon. Already one has to pay for agricultural land, its value as real estate. Of course this makes it very tempting for holders of land to sell it for real estate. At the same time, it makes it extremely expensive for any one wishing to engage in farming or to extend their farming practice. Therefore, I would suggest that this House take a close look at the possibility of bringing in legislation to prevent the further use of agricultural land for real estate development, except where absolutely necessary.

I think that this would be a forward step and I am informed that once you leave the Kilbride and the Goulds Area, you have to go as far as Musgrave Town to get another equivalent amount of agricultural land. We can well see that our agricultural resources are limited and are in danger of being exhausted. I would like to leave that with the honourable members for their due consideration.

I would also like to have a word to say about economic development. It is against the vagabonds and the drifters that we must be on our guard. These fly-by-night promoters usually have no interest in developing Newfoundland except for their own ends, be it pump stock or get fat management fees while our poor government has to find more and more money to keep the ill-starred scheme afloat. The acid test to separate the businessmen from the villainous must be how much money these birds are willing to put up.

I would say and of course opinions would differ, that fifty percent should be the absolute minimum. We would save a lot of time if we were to shut our ears to anything less. We know that business ventures on this island need more help to get started than those up-a-long, but I for one become very suspicious when I hear of a great new industry where we are expected to put up most of the money or take most of the risk. While it is impossible to get inside of the mind of a

would-be promoter, I would say that anyone who is unwilling to put up fifty percent or its equivalent is either timid, inefficient, mischievous, menial, parasitical or corrupt and that anyone who would sign up with such a person is either a sucker, a greenhorn, a swindler or a hypocrite.

AN HON. MEMBER: Or a Liberal.

MR. CARTER: Or a Liberal.

MR. NEARY: We would not have a person working in Newfoundland if we followed that...

MR. CARTER: There is only one person, Mr. Speaker, that I wish to see permanently unemployed.

On another matter altogether, Mr. Speaker. From time to time it becomes necessary for the government to exercise the right of eminent domain, to take title to some piece or pieces of property either to build a road, secure a right of way or for some genuine public need. As far as I am concerned, the less that this happens the better. If it must happen, the people who are dispossessed have an inalienable right to the exact equivalent to what they have lost. If they lose a house they must receive another house, equally convenient, equally near all public facilities. It is no good to argue the greatest good for the greatest number. One poor old soul with a roof over his head has every right to nothing less.

Our predecessors were willing to trample on individual rights and looked what happened to them. In my view, there is no surer test of the motives and intentions of a government than the way they handle expropriation.

AN HON. MEMBER: The saviour catches his breath.

MR. CARTER: Touche! Myself and the honourable Minister of the Environment have had a running battle as to the location of the city dump.

I have maintained all along that it is located where it should be located, that it is in the proper place in other words and I have offered already some documentary proof as to why it should be there. Now it could well be moved. It could be moved to St. John's East but I do not think that the present member would approve nor do I think there is any room or any provision in St. John's East. It could be in St. John's West. It used to be in St. John's West, right on the border between St. John's West and St. John's North. It could be in St. John's South.

MR. NEARY: What about Bonavista North?

MR. CARTER: Well, I was going to suggest, Mr. Speaker, that it should be in Bell Island but the people of Bell Island already have a severe disposal problem so I would not add to it.

MR. NEARY: The hon. member found that out the last night that he was over there campaigning.

MR. CARTER: Now I believe the main concern for the present dump is the number of rats and the hon. Minister of Environment is concerned that the rat population in St. John's East Extern may eventually outnumber the registered voters in which case you know the district could go liberal. However I think that we are well aware that rats are not immortal. They can be poisoned. They can be trapped or entrapped or done away with.

MR. THOMS: They can be elected.

MR. CARTER: They can be elected but I would suggest that one of the most sure ways of getting clear of them would be to record or print or type out the hon. members' speeches opposite and distribute them along the dump, even the aroma from these speeches would probably serve notice on the rats that their time was coming to a close. However, that is so much for the dump. I hope it is not moved. I hope it stays

where it is. I think that it could be cleaned up. I think that possibly an incinerator could be put there but I do feel that because of the prevailing winds, because of the climate and because of a number of reasons all of which could be argued, in fact I think there are rational arguments for leaving it where it is.

Now in order to be fair to my colleague and successor my remarks on education will be of a general nature.

MR. NEARY: Are you going to tell us about McLeans?

MR. CARTER: I have one word to say about McLeans and one word only and that is the matter speaks for itself.

MR. NEARY: We will talk about that tomorrow.

MR. CARTER: Money spent on secondary and post-secondary education brings quick returns and since they often affect him directly are popular with the young voter. However, in my view, the real needs of education in this province are in the primary and elementary areas. "Sesame Street" cannot do everything. Unless you learn to read and write at an early age and form good work and study habits chances are greater than ten to one that you will never realize your full potential or anywhere near it. Furthermore schools must not only be pleasant places to work, they must be pleasant places to be. It is not right to locate a school in a gravel pit and leave it in permanently scarred surroundings. Our earliest associations have a profound effect on us and it is no accident that the serious thinkers in education called the first introduction to school the kindergarten, that is a child's garden, a place of light, colour and clay. Although much has been done in the past much remains to be done and I would seriously suggest that per capita spending on education at least be equal in the lower grades and that the first increases apply there. But I believe that it is putting the cart before the horse to spend vast sums on the upper end of the scale without at least spending as much at the bottom, at the beginning where it all starts to happen. We could do far worse with the name for ninety-five per cent actual literacy in our fair province.

MR. CARTER: I would also like to, because of the nature of the rules of this House and the fact that one only gets a chance to make two major speeches, two major wide-ranging speeches in the course of the session, and I would like to speak just a word about project management

I feel that it is a method of construction that could turn out to be very costly. It is a method of construction whereby a firm takes on a job and farms out the various portions of it. These portions may be put on tender or they may not but if they are this is not the same thing as open tender. It is not the same thing as the open-tender system. Because the original project management contract may be a cost plus one. I believe the latest term is negotiated price. The project manager is under no compulsion to save money. If he finds himself running over his original estimate, all he has to do is to come whinging back to whoever gave him the contract and put up a poor mouth.

It is said by the defenders of such a system, the project management itself is or can be put out to tender for project managers themselves to bid on, [can only ask, when was the last project management tender called.

Now there is no doubt that an enormous project like an airport or a university requires some agency to supervise overall planning and construction. Governments say that they are willing to build up such an agency within the structure of the civil service and therefore have come up with this latest expedient known as project management. It is probably not new. I do not doubt that the pyramids were built in this fashion, but in my view it is full of flaws.

To begin with, ordinary contractors put up a performance bond in which they guarantee to do the job in a specified time and for a specified price. Furthermore, contractors usually get into the job themselves with their own equipment. Now it is true that they do sub-

MR. CARTER: contract but still it is standard that they get into the job themselves. Also, contractors have their own good name to defend. They are not shadowy, fly-by-night adventurers, here today and gone tomorrow.

The chief objection in my view to project management, to the project management concept, is that it injects just one more party or level into the construction pyramid, one more level to pay, one more desk to pass the buck to. The answer is a simple one which has long been advocated - open tenders, opened in public. Changes tendered upon and those tenders themselves opened in public.

There has also been some discussion during this session and in the press about conflict of interest. I would just like to make a couple of points on this. The first is that in my view the simple declaration of assets is not enough. What about the politician who wears several hats? His assets may not increase because he is clumsy. He may be an unsuccessful crook but he still might be crooked. To borrow a phrase, "it is not enough that things be right, they must also appear to be right." I would very much like this House to consider conflict of interest legislation in all its ramifications when it is brought before -

Big news today and last night, of course, was the federal budget and how it affects our provincial budget. I want to say a very brief word about that, if it is in order, Mr. Speaker. I feel that incentive should be the main concern. I feel that this federal budget is probably politically motivated, using the word political in its most pejorative sense and that it is merely designed to keep the present government in power.

It is very unfortunate that the federal government do not see fit to build in incentives into many of its programmes. I am thinking particularly of unemployment insurance. There are probably more disincentives in this programme than incentives. For instance, although it is true that you may earn so much while you are on unemployment insurance, the minute you are even one dollar above the amount allowable, that precise amount is deducted from your income. Now people are not fooled. It does not take them long to figure out that it is not worth their while to earn an extra dollar. I think everybody wants

more and it is only natural that if you find that you are working harder and getting the same amount and not getting any more, then the obvious answer is to cut back on the work. I would like to see some sort of sliding scale built into the unemployment insurance so that it is always worth a person's while. It is a welfare insurance.

AN HON. MEMBER: It will reduce jobs.

MR. CARTER: No, it will not reduce jobs, it will increase incentive. Everybody wants something done and people will get out and earn and earn more, a great deal more. It is a great mistake, a very grave social mistake in my view to build disincentives into welfare programmes. This present government here and now are thinking very seriously of trying to build in incentives into its welfare programme. I feel that they will be successful and I feel that this will be one of the biggest steps if this government can pull this off and bring out a successful incentive welfare programme. I do not care if they do nothing else, they will have justified their existence.

AN HON. MEMBER: (Inaudible)

MR. CARTER: The honourable member will have lots and lots of time, in fact a full ninety minutes with which to hold forth and I look forward with great interest to hearing the honourable member.

Already in this session some mention has been made of the downtown development and I feel that I would be very remiss in my few remarks if I did not mention something about this and perhaps rehash some of the old arguments and perhaps bring in some new ones.

I think that the main issue is that the buildings true size has been obscured. We have been subjected in various brochures and with

not photographs, but I shall say architectural, so-called architectural drawings appearing in the press. These drawings and these representations have been guilty of severe visual distortion. It has been said by a qualified architect that if the figures that have been shown in these drawings were in proportion to the alleged building then these figures themselves would be twelve feet high. Water Street is shown a great wide boulevard, which in fact it is not. Now once the frame of this building is up the general public will then be well aware of what its actual dimensions will be. But by then of course it will be too late, too late even for the contractor, who I believe is ill-advised, to change his mind. It will block the light and the view, especially when you consider that it could be somewhere else. It could be in the east end of Water Street, it could be in the west end of Water Street, the present Development Corporation I understand has or will be holding land at both ends of the street.

Also of course the City Council has gone against the advice of its own planning office. The point has also been made by the federal member for St. John's West that he is concerned about Canadian National bartering away public lands. Concern is also expressed in this House by several members that at the time of Confederation this property was given to the Canadian National and if the Canadian National wishes to dispose of it, the first recipients should be the Newfoundland Government. It supplies both the Newfoundland Hotel and the Canadian National property at the west end of town.

Now there is no question but a massive subsidy, tax holiday or concession, call it what you will, have been granted. Now that may be fair enough. You can argue tax concessions to bring in development,

MR. CARTER: but some of this development is going to be office space. Office space is in great demand and can easily pay its own way. Why subsidize office space, why subsidize the CNR who are going to have a hotel in this complex?

Grave concern has also been shown for the insufficient parking spaces that have been provided. It has been estimated that using the regular yardstick, that is to say the yardstick, the measurement that any other developer would have to use, that this present complex will be 1,000 parking lots short. In other words, the city will somehow have to provide 1,000 parking lots. Now they obviously cannot provide 1,000 parking lots on streets or bulldoze out great flat spaces. It will have to be in the form of parking garages and estimates vary but authorities seem to agree on the figure of \$5,000 per parking space in a parking garage complex. So that is \$5 million St. John's is going to have to find and that is rather a lot of money even when it is divided up among all the wage earners of St. John's and I feel that more information should be released about this.

The traffic problems of course are another matter as well. How many streets are going to have to be widened? How much property expropriated? What is going to be the cost of the consequent housing shortages that are created? We now know that St. John's is full. It is going to cost money to add any more housing and if you tear down the housing that exists

at the moment, you are going to find that it is going to be a very expensive problem. This traffic problem could also spell the end of the retail trade on Water Street. If there is going to be oil found on the Grand Banks or if the present rate of oil exploration is going to increase, then, in my view, our waterfront is too important to be cluttered up.

Now I think it was wrong of the mayor and city council in the dying days of their mandate to commit the city to such a massive complex. It is probably the most massive complex in the history of St. John's, the complex that will be the crossroads of our development. We are now at the point of deciding how St. John's will or will not develop. I think it is very, very ill advised for the city council not to hold a public hearing on this issue. How is our future going to be decided? Just by a vote every four years? Is that enough? Is that all the activity they want to take in the development of their city, just once every four years cast a ballot, mark an "x". Should there not be public hearings on vital issues? Now I think the 4,000 concerned citizens who petitioned this honourable House rightly saw that the Legislature was their only recourse. If the government are indeed a creation of the Legislature and the city council is a creation of the government, then this Legislature has a duty to act.

Now I can well understand, appreciate, sympathize and agree with the feelings of the individual members of this House, when they declined to force the municipal council - in other words, when they agreed not to override the City of St. John's Act and force the city council to hold public hearings against its will. At the same time, public hearings should be held and there should be an independent investigation and in my view it is in order. There are so many unanswered questions.

Why on earth can we not make our mistakes on paper? Must decisions always be made in this vague, roundabout way. So I would request that honourable members present give grave consideration to some independent action by this House to at least look into the serious questions that can be raised by this honest question.

Just a few days ago we had a debate about the steel mill and the fact that it has to close down. This borders my district and many of my constituents work in this steel mill

AN HONOURABLE MEMBER: Inaudible.

MR CARTER: Perhaps he was interested in getting a few scraps. We know the cost of scrap

MR NEARY: Does the honourable gentleman know all about dumps?

MR CARTER: Well, all I can say, Mr. Speaker, I will meet the honourable gentleman down at the dump any day at all. I suppose we can choose our own weapons - garbage, at fifty paces.

I do quite seriously wish the honourable member would some day come out in the spring and address my fields. I feel the growth then would be much advanced. In fact, I would even pay the honourable member.

To get back to the more serious questions, I feel the government was right to stop the operation of this steel mill. I only wish that much of the money that had been wasted or had gone down the drain could have been put into other efforts. We know the cost of scrap metal. We know the cost of manufacturing and we know the selling price, It is a very simple sum, to calculate the loss and I am told that the loss per ton is considerable and that the gap is too wide to be closed and therefore the steel mill is not feasible and therefore DREE will not get involved. It is quite wrong and improper to suggest that DREE will get involved in an operation that is not feasible. Either economic or social feasibility is a yardstick that DREE uses and I think it is very mistaken to and very wrong

to suggest otherwise. I have had some experience with DREE myself and their yardstick is feasibility, if a thing is not feasible one way or another then it will not go ahead.

Now perhaps you may agree that Newfoundland is not feasible. But I think we are rather like the bumblebee, apparently, according to all theories "cannot fly but does not know this and goes on anyway.

But as far as the Steel Mill is concerned it was not feasible it was located in the wrong place and I think the government were, although it is an unhappy decision to have to make, I think the government made the right decision. This is all that can be done.

Now, Mr. Speaker, there are a great many problems that face this Assembly. It would be very wrong of me to suggest that I know many of the answers or that all of us here collectively know the answers. But I do know that we can at least outline some of the problems. And the following is a very brief list of what I see to be the worst problems affecting us.

There is going to be the problem of school taxation, regional colleges, special education, municipal services, industrial development, power development and allocation, transportation, traffic congestion, inflation and the cost of living, labour relations, welfare and incentives, forestry, fishery and agriculture, provincial debt, pollution and environment, urban development and housing, our relations with Ottawa, our relations with the other provinces, offshore oil and a host of other problems.

Now if these vital issues are approached with the obfuscation and timidity that characterizes many of the decisions that have been made in the past, then God help us! There never was a greater need for clear thinking and objective debate.

Now finally a word of advice to our honourable friends opposite. I would say to them do not deny your vile roots, your origins embedded in political depravity of the some offensive nature. The present Liberal

party in Newfoundland is the tattered remnants of the most evil system that ever blighted the corridors of power. Unless they admit their repacious heritage there is no hope for reform in that direction. Now that

their venomous venture has gone west or rather south. There is no need for their activities to be a steady procession of enormities, for paroxysms of corruption or bursts of subservience. Let them develop a philosophy or at least a point of view that will bear the light of day and abandon sheer opportunism and sterile abuse as the dead end that it is. Thank you, very much.

MR. HOWARD: Mr. Speaker, I now adjourn this debate.

On motion, debate adjourned.

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

On motion, the House adjourned until tomorrow, Wednesday at 3:00 P.M.

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