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**VERBATIM REPORT**

**THURSDAY, MAY 1, 1975**

**SPEAKER: THE HONOURABLE M. JAMES RUSSELL**

May 1, 1975

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The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

NOTICE OF MOTION:

MR. SPEAKER: The honourable Minister of Justice.

HON. A. HICKMAN, MINISTER OF JUSTICE: Mr. Speaker, on behalf of the Minister of Industrial Relations and Manpower, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act Respecting Labour Relations."

ORAL QUESTIONS:

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, I wonder if the Acting, Acting, Acting Premier, the Minister of Justice, Acting House Leader, acting for several departments -

MR. SPEAKER: Order, please! If the honourable Member for Bell Island intends to ask a question I suggest he get on with it.

MR. NEARY: - would give the House a brief report of the state of the paper, the pulp and paper industry in this Province at the present time?

MR. HICKMAN: Mr. Speaker, obviously I cannot give a report as to the state of the pulp and paper industry in the Province at this time or in the world for that matter, I can advise the House that yesterday afternoon, or yesterday, I think it was the afternoon, sometime yesterday anyway, Mr. Beardsley of Bowaters telephoned me to advise me of the close down of Bowaters pulp and paper mill in Corner Brook for two weeks and that when the mill resumes operations it will go on a five day week. I certainly expressed to him the concern of government in the action that this private company is taking but he did point out, and certainly there is no evidence to indicate otherwise, that the general poor economic conditions that are being experienced internationally, have softened market conditions.

Other pulp and paper mills, there are paper mills in Canada, I am told by him, and in the United States, indeed the world's largest recently

closed down in Southern California. I tried to ascertain from Mr. Beardsley whether he was optimistic over the future. He would only say that he has no cause to be pessimistic and that they are trying to maintain their inventory at a satisfactory level and at the same time to keep it properly housed and this is why they cannot allow their inventory to build up. And I think, well it is well known, that a very large percentage of the product of Bowaters is sold in the United States and anyone with half a brain knows that the United States is going through the severest recession since the great depression and every economist, every government leader in the United States is keeping his or her fingers crossed hoping that indeed that is all it is, a recession. And as the conditions improve in - the economic conditions - in the markets of the consumer, namely the United States, hopefully this will reflect in the conditions of the industry in Newfoundland.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, a supplementary question to the Acting, Acting Premier; would the minister be in a position to enlighten the House as to the devastating effects that the closures at Grand Falls, Stephenville Linerboard Mill and at Corner Brook, the devastating effects that these closures and possible layoffs and reduction in time will have on the economy of the Province?

MR. HICKMAN: I cannot do that today.

MR. NEARY: The minister cannot give - will the minister do a little reconnaissance to try to find out? Will the minister also tell the House if the government will try to find jobs in the Corner Brook area for the students who will not be able to find jobs this coming summer with Bowaters, which will be a very serious matter for these students if they cannot find employment during the summer.

MR. HICKMAN: Mr. Speaker, I understand that there are about, normally between fifty and sixty-five students obtain summer employment in various categories, under various levels of income in the Bowaters operation. There are many, many hundreds, hundreds literally, probably thousands of students

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in Newfoundland who also look for gainful employment throughout the Province, many of whom obtain it in the construction industry.

I understand that Canada Manpower and the University, I do not know if it is the Students' Council or the university office themselves, they are the ones who exert effort to try and indicate to students where jobs are available and also at the same time try and convince employers throughout the Province that there should be employment made available for students.

MR. NEARY: Well, is the government going to do anything or are they?

MR. SPEAKER: Order, please!

MR. NEARY: I gather from the minister the government is going to do nothing.

MR. SPEAKER: Order, please!

AN HONOURABLE MEMBER: (First part inaudible) Bowaters, boy. Take them over.

MR. HICKMAN: You know, that is the problem. The silliest question that has been asked in the last three years in this House, Mr. Speaker.

MR. NEARY: No, it is a good question. It is a good question.

MR. HICKMAN: Insofar as government is concerned -

MR. NEARY: They are going to do nothing.

MR. HICKMAN: Insofar as government is concerned we have instituted a new procedure, in the process of instituting a new procedure, within the government service this year, so rather than have students being obliged to trot into every department and saying to someone, have you got summer employment for me and what they were doing you do not blame them to cover all bets, they were indeed going to each department. We are trying to and we will centralize an enquiries desk so that anyone who wants to know whether there are any jobs available, and what jobs are indeed available in the public service with the government during summer vacation, can go to one desk and enquire and if, say, Tourism, if they have twenty jobs, the man on that desk will be told there are twenty jobs in Tourism, nineteen of them filled, if you want to apply for the other one you better go upstairs and see whoever the appropriate official is.

The government certainly has not, and I do not think any sensible, sane, thinking Newfoundlander would expect the government to start implementing more than it is doing already in programmes for summer employment. We have to bear in mind, Mr. Speaker, that we also as the government have an obligation to look after those who are looking

for permanent employment.

MR. NEARY: Well, you are not doing a very good job on that score either. Mr. Speaker, would the Minister of Justice, the acting Premier, Sir, indicate to the House whether or not there will be any layoffs, any reduction in the work force either at Grand Falls, Bowaters or at the Linerboard Mill in Corner Brook or at Stephenville as a result of the soft market conditions? Sir, would the minister indicate if there is any liaison between these three big companies in Newfoundland and the government other than just a phone call to the minister? Would the minister indicate if there is any ongoing discussions between the government and these companies? Would the minister indicate where the Premier is now that we need him? Do we have to send a search party out for him?

MR. SPEAKER: Order, please! Order, please! Order, please! The Chair gets the feeling that the honourable Member for Bell Island is asking a series of questions. Perhaps he should ask one at a time. He is also attempting to make a little speech in between each question.

MR. NEARY: Would the - all right, go ahead.

MR. HICKMAN: The honourable the Premier, and I know this comes as a shock to the honourable gentleman opposite, subscribes to the view that Newfoundland does not begin and end in the city of St. John's. He is in Botwood and is now returning to St. John's. He is en route.

MR. NEARY: Will he be meeting with Price Newfoundland when he is out there?

MR. HICKMAN: I am not aware, Mr. Speaker, of any proposed meeting or any request of meeting on the part of Price Brothers nor has it been any indication to me by Price or by Labrador Linerboard Mill that there will be any layoffs, permanent layoffs in these industries as a result of the softening of the market. Bowaters in their announcement indicated yesterday that some of their casual labourers may not be rehired.

MR. NEARY: Well, Mr. Speaker, the minister probably did not get my most important question of all.

MR. HICKMAN: I did.

MR. NEARY: Is there any liaison between the government and these companies other than just the manager picking up his phone and calling the minister saying, look, we are going to close down the mill for a couple of weeks. Is there any ongoing discussions? Is there any concern at all on the part of the government or are they just throwing up their arms in defeat?

MR. HICKMAN: I am not going to answer it.

MR. NEARY: No.

MR. SPEAKER: The honourable Member for Hermitage.

MR. SIMMONS: Mr. Speaker, - six - goodness gracious. I have to try and get a - I am just thinking out loud now. I will have to get a question for a minister who is here. There is only what? - six and a half ministers in the House at the moment. That is all the Cabinet.

MR. SPEAKER: Order, please!

MR. SIMMONS: I have a question, Mr. Speaker, for the Minister of -

AN HONOURABLE MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. SIMMONS: Mr. Speaker, I have a question for the Minister of Transportation. I am wondering if the minister would confirm whether his department has contracted for a design for the Conne River Causeway?

MR. SPEAKER: The honourable Minister of Transportation and Communications.

MR. ROUSSEAU: No, I do not think so. They are still at, as I understand it and I have to check with the honourable the Minister of Intergovernmental Affairs, and just see where the status is with that and the North West River Bridge.

MR. SIMMONS: Mr. Speaker, a supplementary: Now, I was not referring to any negotiations that might be going on with Ottawa which would involve Intergovernmental Affairs. I was - the question really for the minister again, Mr. Speaker, was has the department contracted with any outside firm to do the design on the bridge? It is my understanding that this is the case and I wonder if he would be in a

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position to confirm it or check into it.

MR. ROUSSEAU: I know that we have a request before Northern and Indian Affairs. As far I know, no. It has not been contracted but I will have to take that and check it out. As far as I know not.



MR. SIMMONS:

Mr. Speaker, perhaps it is early in the morning. I am not talking about a contract for the job but for the design on the job. Has the minister's department contracted the design of the bridge to an outside firm? I repeat, it is my understanding that his department has, and I have it on pretty good authority. Would he check it out or can he comment on it?

MR. ROUSSEAU: Yes, I will check it out. The only reason I am saying that I do not know is I have asked them to move on these two items, you know, so it is possible that they have done that. I do not know. I will check it out and let the member know. But I have asked them with all due speed to get on both the Conne River bridge and the North West River bridge. I know there has been correspondence gone to the Hon. Judd Buchanan looking for some funds to assist on a federal level. And I have asked him to expedite that. In the meantime we are looking into the possibility of a ferry service and that could well have been done. I really do not know. All I know is what I told the officials and possibly it has been done. I will check it out and undertake to bring the reply back to the honourable member.

MR. SPEAKER: The Hon. Member for St. Barbe North.

MR. F. B. ROWE: Mr. Speaker, I have a question for the Minister of Education, Sir. Is the minister aware of the remarks of the St. John's Deputy Mayor concerning a letter sent to City Council by the St. John's School Tax Authority in which letter was indicated that the St. John's School Tax Authority was less than prepared to operate at the present time? Could the minister inform the House what steps he is taking or his department is taking to train or educate or give some guidance to the St. John's School Tax Authority in order that they can operate as efficiently and as smoothly as possible.

MR. SPEAKER: The Hon. Minister of Education.

HON. G. OTTENHEIMER (Minister of Education): Mr. Speaker, actually I am not aware of the contents of the letter but in a general area that the honourable gentleman has referred to, we do have an Inter-Departmental Committee of Education, Finance, Municipal Affairs and Justice which has met on

a number of occasions with the School Tax Authority and which is doing so on a regular basis. They have met several times, and they meet on a regular basis with representatives of those four departments and of the School Tax Authority.

MR. F. ROWE: A supplementary. Could the minister be a little more specific, Sir, because obviously there has been a real boo-boo in this particular case? Could the minister indicate how many people are on the School Tax Authority and what the deadline is for this School Tax Authority to go into operation and whether he feels the Authority will be ready to go into operation at the date it is intended to go into operation? Could he be a little bit more specific. I realize that there are all sorts of committees set up. But what are these committees actually doing in view of the boo-boo that has just happened?

MR. OTTENHEIMER: Mr. Speaker, it certainly should be fairly evident what the committee is doing. Government personnel is composed of a representative of the Department of Justice, and that person is a lawyer who gives legal advice required, and from the Department of Finance there is a person knowledgeable in finance, and the Deputy Minister of Education, who would have an overall knowledge of school board operations and school tax authority operations throughout the Province and they meet with a committee of three or four from the St. John's School Tax Authority to advise or assist the School Tax Authority in any matters in which they need such advice or assistance. The date that it is proposed to be operative is July 1. The number of members of the School Tax Authority I do not recall offhand, but there are several because they would represent the school boards and incorporated areas. It could well be fourteen or fifteen but I do not know the number of members of the Tax Authority offhand.

MR. F. ROWE: A supplementary, Mr. Speaker. Could the minister indicate to the House what the Harris Report had to say, the Dr. Harris Report on Education and Human Resources, had to say with respect to the setting up of School Tax Authorities in the Province?

MR. OTTENHEIMER: Mr. Speaker, you know, specifically, what it might have had to say, I do not actually recall specifically. I do not recall what it had to say.

MR. F. ROWE: A supplementary, Mr. Speaker. In view of the fact that the Minister of Municipal Affairs and Housing has stated quite clearly that some councils in municipalities throughout the Province have not been ready to operate efficiently and administer efficiently and they have not had sufficient guidance and education, would not the same thing hold true for School Tax Authorities in this Province that have to levy taxes on our people, and in this case an unfair tax?

MR. OTTENHEIMER: I am not sure I understand, really, the gist of the question.

MR. F. ROWE: Does the same argument for premature setting up of councils hold true for the premature setting up of School Tax Authorities?

MR. OTTENHEIMER: If the honourable gentleman is asking me with respect to the St. John's School Tax Authority, whether I feel that it is premature that it be set up, my answer would be, no, I do not feel that it is.

MR. ROWE: A supplementary, Mr. Speaker, is the government giving any consideration whatsoever to doubling or increasing the size of the School Tax Authority in St. John's in view of the very strong reaction of the City Council?

MR. HICKMAN: One man - they need guidance.

MR. ROWE: What are you -

MR. OTTENHEIMER: As I say -

MR. ROWE: Let the minister -

MR. OTTENHEIMER: I do not know if the honourable gentleman is asking me to comment specifically on this letter of the Deputy Mayor which I have not seen but if it is of doubling the membership of the School Tax Authority, I myself do not see that doubling the membership, I mean the membership in School Tax Authorities is governed by statutes, provisions are made for representatives of school boards within incorporated areas. There has never been any request to me or to the department that doubling or tripling or having or making any numerical operation, any numerical change in the composition would be of any benefit, so we certainly have not considered it. We have never been asked to or - it is set up as provided by statute. There has never been any request of altering that.

MR. ROWE: Well a further supplementary, Am I to understand, Mr. Speaker, that the minister is not giving any consideration to increasing the size of the School Tax Authority, and am I to further understand that he is not considering any specific educational or guidance programmes to assist the School Tax Authority? Sir, this is going to be a complete shambles, as we predicted, a big shambles.

MR. OTTENHEIMER: Mr. Speaker, on a point of order, he has asked a question, and all he is allowed to do is ask a question and not to debate the matter.

MR. SPEAKER: Order, please! The honourable member for St. Barbe North was getting into a debate in expressing an opinion rather than asking a question.

MR. OTTENHEIMER: Mr. Speaker, the problem was -

MR. SPEAKER: The Minister of Education wishes to answer the question?

MR. OTTENHEIMER: Right. It was not an informed opinion, if it had been an informed one certainly we would have been pleased to have a certain stretching of the rules. Two points, have we considered increasing the numbers - no we have not. We have not been asked to, we have never been requested to. Nobody has ever suggested it. It emanates now, to the best of my knowledge, from the honourable gentleman opposite. We have never been requested to increase the number so obviously we have not considered it. We do not consider all kinds of hypothetical things, you know, double it, triple it, quadruple it, cut it in half, cut it in an eighth. We would be doing nothing but going around considering all kinds of hypothetical numerical operations. No, we have not considered it. We have never been requested to.

On the second point - what are we doing in terms of guidance and assistance to the school tax authorities - we have a school finance officer who is available to all school tax authorities, who works at that full time and long associated with him, and that is Mr. Heffernan, associated with him in that work is the gentleman who fills the role of Chief Superintendent, Mr. Max Riggs, extremely capable, knowledgeable person. These two and the Deputy Minister are in quite close touch with all the School Tax Authorities. We meet with them several times a year. We are available any time at their request and I think it is quite obvious, Mr. Speaker, that, yes, the Department of Education and its senior officials, such as Mr. Roebothan, Mr. Riggs and others are available too and in quite close touch with the various school tax authorities.

MR. ROWE: Supplementary, Mr. Speaker, Would the minister undertake to lay upon the table of this House what the Dr. Harris' Report has to say, if anything, with respect to school tax authorities in this Province or in this City and would he further undertake, as was promised by the minister in the last session, to table that Harris Report, and I have a definite commitment from the minister in that regard please, Sir?

MR. OTTENHEIMER: Mr. Speaker, I have already informed the honourable gentleman that before the session concludes -

MR. ROWE: You said that the last time.

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MR. SPEAKER: Order, please!

MR. OTTENHEIMER: I am saying it now that before it concludes I will certainly provide him with a copy thereof.

MR. SPEAKER: The honourable Member for Labrador South.

MR. MARTIN: A question, Mr. Speaker, in the absence of the Minister of Manpower and Industrial Relations I think I should probably direct a question to the Minister of Transportation and Communications, as Labrador spokesman in the Cabinet, I am wondering with the start up of the Gull Island Project just about upon us, if the minister could explain to the House what steps the government have taken at this point to ensure that the hiring practices of the contractors involved in that project and associated construction, what are the hiring practices which will protect the interest of local people so that they do not start immediately importing labour from outside of your local area.

MR. SPEAKER: The Hon. Minister of Transportation and Communications.

MR. ROUSSEAU: Mr. Speaker, if you do not mind, first I would like to make just a short suggestion, and then maybe the Minister of Mines and Energy could answer the question. I think I stood in the House on a number of occasions and as a matter of principle stated my feeling on that matter, and I would hope certainly that the people in the honourable member's district and other people along the Coast of Labrador and so on who would like to secure work on that site will certainly be given first preference. As I said before we have waited on other areas around the Province where jobs have not been available to people in Labrador because the local area was given first crack at it, and we accept that, not like it, but it had to be accepted really. And I think I stood in this House on a number of occasions on that matter of principle in the supply of labour, materials, my position on it, and my position in respect to how I would bring it before government. But I think maybe the Hon. Minister of Mines and Energy might be able to give you more detail.

MR. SPEAKER: The Hon. Member for Bell Island.

MR. HEARY: Mr. Speaker, I wonder if the Acting President of Treasury Board would care to comment on a public statement made by his colleague the Minister of Manpower and Industrial Relations concerning the strike of employees of the Newfoundland Liquor Corporation inasmuch as the minister stated publicly that they will set the precedent for negotiations with all of the other groups. Would the minister care to comment on that? It seems to have caused quite a bit of stir, quite a bit of controversy.

MR. SPEAKER: The Hon. Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, the Hon. Minister of Manpower by the look on his face is the first time he ever heard the statement. I had heard it -

MR. MAYNARD: When did you hear that?

MR. BARRY: - I had heard certain rumours -

MR. NEARY: Inaudible.

MR. BARRY: - I had heard certain rumours to the same affect as

being attributed to - that statement being attributed to members of government. I believe Mr. Peddle referred to -

AN HON. MEMBER: No.

MR. BARRY: No. I am sorry. One of the members of the negotiating committee referred to the fact that it may have been the Premier who stated it. I personally have not heard any statement to that affect. But, Mr. Speaker, to clarify the matter, I think, here it's a matter of balance, while on the one hand government intends to do everything possible to treat each bargaining unit on its own merits and to look at the needs and the situation with respect to the members of each bargaining unit, on the other hand it has to be recognized, and both sides realize, that the settlement in one dispute will bear some relationship to the eventual settlement in a later dispute, it will have some affect on the level of settlement in later disputes. And I think that is the balance that we have got to take, as far as possible look at the needs of the individuals in each bargaining unit on their own merits. But we also, as a matter of common sense and practical realities have to realize that the level of settlement in one dispute bears some relation or will have some affect on the level of settlement in another.

MR. NEARY: Mr. Speaker, a supplementary. Is the minister saying that to settle this strike would settle all other contract negotiations, is that what the minister is saying?

MR. BARRY: No.

MR. SIMMONS: He is saying they are playing one against the other.

MR. BARRY: Mr. Speaker, -

AN HON. MEMBER: Inaudible.

MR. BARRY: Mr. Speaker, that question hardly deserves an answer. I am not sure -

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. BARRY: - I am not sure if the honourable is just -

AN HON. MEMBER: Inaudible.



MR. SPEAKER: Order, please!

MR. BARRY: - I am not sure if the honourable member is just dense or just mischievous.

AN HON. MEMBER: The Leader is dense.

MR. BARRY: There was nothing -

MR. NEARY: I am not stunned -

MR. BARRY: - In any statements made by me -

MR. NEARY: - I am not stunned like the minister.

MR. SPEAKER: Order, please!

MR. BARRY: There was nothing -

MR. NEARY: He cannot even negotiate with 200 employees.

MR. SPEAKER: Order, please!

MR. NEARY: How stunned can you get?

MR. SPEAKER: Order, please! The Hon. Member for Bell Island asked a question of the Hon. Minister of Mines and Energy, and the Hon. Minister of Mines and Energy -

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please! - The Hon. Minister of Mines and Energy was attempting to answer the question. I would suggest that if a member asks a question then he should let the minister answer it in silence. While he may not agree with the answer then it still does not give him the right to interject.

MR. NEARY: He cannot be rude and ignorant and insulting, Sir. Your Honour ruled on that the other day.

MR. SIMMONS: For that side.

MR. BARRY: Come on now, do not get so excited.

MR. SPEAKER: Order, please! Order, please! The Chair heard a remark made by the Hon. Member for Hermitage that the day made a ruling some days ago in favour of that side over there. Now the Chair certainly does not intend to take that sort of a remark from any honourable member and would request the Hon. Member for Hermitage to withdraw that comment.

AN HON. MEMBER: Withdraw! Withdraw!

MR. SIMMONS: Mr. Speaker, I think I am entitled to explain. I was in a similar situation the other day and I was told not to

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bait that side. I distinctly said just now in response to a comment by my colleague that the ruling had been made for that side. That is the way it happened. Somebody who I had baited, I was told not to bait that person. I now ask Mr. Speaker to instruct the Minister of Mines and Energy not go baiting my colleague. If there is anything unparliamentary in what I said

MR. SIMMONS:

I certainly withdraw without qualification. But he has not the right to bait my colleague, Mr. Speaker -

MR. SPEAKER: Order, please!

MR. NEARY: But he is the master of -

MR. SIMMONS: - any more than I do not have the right.

MR. SPEAKER: Order, please!

Honourable members certainly do not have the right to make comments which are unparliamentary. The Chair did ask, and the Hon. Member for Hermitage did withdraw the remarks he made. The Chair certainly understood that he was challenging the previous ruling made by the Chair.

MR. BARRY: Now, Mr. Speaker -

MR. SIMMONS: No, Mr. Speaker, on a point of personal privilege.

Mr. Speaker, can have what interpretations he would like on the matter but I want it clearly understood that I was not questioning Mr. Speaker's ruling. I was pointing out, Mr. Speaker, I was simply pointing out that in as much as I was not allowed to bait someone the other day and was instructed to discontinue doing so in a similar fashion I believe it is fair to ask Mr. Speaker to instruct the Minister of Mines and Energy not to bait anybody as well. I think that is a fair request, Mr. Speaker. That is not questioning the Speaker's ruling.

MR. BARRY: Sit down! Sit down!

MR. NEARY: It is a simple -

MR. SPEAKER: Order, please! Order, please!

MR. SIMMONS: (Inaudible).

MR. BARRY: Sit down! Sit down!

MR. SIMMONS: (Inaudible).

MR. SPEAKER: Order, please!

The Hon. Member for Hermitage now on two or three occasions has gotten up after the Chair has made a ruling and said that he is not challenging the ruling of the Chair. Now the Chair is certainly getting the opinion that the member is indirectly challenging the ruling of the Chair and the Chair is certainly willing to agree

that what is fair for one side is fair for the other with regard to baiting any honourable member.

The Hon. Member for Labrador South.

MR. NEARY: Mr. Speaker, the minister is now answering my question.

MR. BARRY: I will just answer the question.

Mr. Speaker, I repeat what I said that on the one hand we are attempting to look at the merits of each bargaining unit's position and on the other hand we are realizing, as members of the bargaining unit realize, as members of the general public realize, that the settlement in one dispute will have a certain affect on settlements in later disputes. Now if the Hon. Member for Bell Island reads into that that I am saying that the decision here is going to be the decision for all time and all of the bargaining units I submit, Mr. Speaker, let us let the people ask whether that is a reasonable interpretation of my remarks.

MR. NEARY: Mr. Speaker, a supplementary question.

MR. SPEAKER: Order, please!

The Chair had recognized the Hon. Member for Labrador South and yielded for the Hon. Minister of Mines and Energy to answer the previous question. So the Chair will now recognize the Hon. Member for Labrador South and that will be the end to the question period.

MR. MARTIN: Thank you, Mr. Speaker. This really relates to the first question I put to the Hon. Minister of Transportation and Communications. It is directed to the Hon. Minister of Mines and Energy. I wonder if he would care to answer the previous question.

MR. SPEAKER: The Hon. Minister of Mines and Energy.

MR. BARRY: The policy of our government with respect to hiring for the Lower Churchill project is the same as the policy with respect to government business generally, and that is that we believe, and we request that anybody doing business with the government, for the government give preference to Newfoundland employment, to Newfoundland workers first, give preference to Newfoundland products and Newfoundland business where these are competitive in terms of price, delivery and quality and this gets,

of course, into the point raised in the question yesterday with respect to the water bombers, for example. The lowest tender is not necessarily the lowest cost. I think that is a factor that has to be kept in mind. If a group are not completely qualified either to do the job as it should be done or to do it within a certain period of time then you have to realize that it is going to increase your cost if this is the case. But within certain limitations such as that it is our policy to see that wherever possible Newfoundlanders and people of Labrador, where it is a Labrador project, or the people of Bay D'Espoir in the case of the Bay D'Espoir expansion, that local people on the scene are given an opportunity to get whatever jobs are available. If other jobs are needed then or other workers are needed or other business is needed, then you go outside the local area. But I think it is generally accepted right around the Province, right across the Province that people in the local area where a job is being done, within limits, that does not mean that nobody comes in from outside, but within limits that you recognize that the people in the local areas should have an opportunity to get involved in the job as much as possible and we try and see that that is done.

I might also add that I have asked Newfoundland Hydro to prepare a presentation to give to the people on both sides of the Straits to indicate to them just what is likely to be the consequences of various actions by the Corporation in the development of the Lower Churchill and to give the people an opportunity to plan for what is happening.

MR. MARTIN: I have a supplementary, Mr. Speaker.

MR. SPEAKER: Okay. I will allow one supplementary for the Member for Labrador South.

MR. MARTIN: The original question was what steps the government have taken to ensure - is there any machinery set up within the administration to allow local people to apply for these jobs? The practice has been that contractors will come in with their total crew. I am wondering if anything has been taken into consideration with regard to setting up local administrative offices?

MR. BARRY: Well, Mr. Speaker, there are the positions in the Department of Manpower and Industrial Relations, I believe - my colleague can correct me - where we take in inquiries or applications from people all around the Province with respect to their interest in getting involved in certain types of activity. So, Manpower and Industrial Relations will be involved. There is also the - is it the Federal-Provincial Manpower Committee. I believe works through -

AN HONOURABLE MEMBER: The Joint Federal-Provincial Manpower Committee.

MR. BARRY: The Joint Federal-Provincial Manpower Committee that works through the Minister of Industrial Relations and also through Canada Manpower. There is also the fact that we have issued instructions to Newfoundland Hydro as to how to proceed and how to instruct their contractors to proceed. Apart from that we do not have any formal mechanism, but in my opinion this, if all parties involved attempt to apply the policy in the spirit that it is intended, should go a long way towards meeting the concerns of the honourable Member for Labrador South.

ORDERS OF THE DAY:

On motion of the honourable the Minister of Industrial Development a bill, "An Act To Establish The Gander Development Corporation," read a first time, ordered read a second time on tomorrow.

Motion second reading of a bill, "An Act Further To Amend The Memorial University (Pensions) Act."

MR. SPEAKER: The honourable Minister of Education.

MR. OTTENHEIMER: Mr. Speaker, this is a quite self-explanatory amendment to the Memorial University (Pensions) Act. Essentially what it is is this;

It puts the authority with respect to a pension for the president in the university rather than in the government. Honourable members will recall that the previous president of the university was appointed by the government, not by the Board of Regents, and his pension was therefore a matter of agreement between the government and the president. That actual legislation, the University Act was amended a couple of years ago whereby the appointment of the president is made by the Boards of Regents. What this bill does is to make the pension for the president a matter of negotiation between the university and the president. It becomes a university matter rather than a government matter.

It also provides that where the pension is awarded on a contributory basis, it will be paid out of the pension fund of the university. Essentially that would be where a person was appointed president who has previously been at that same university and has been within the pension scheme of the university. It provides that if the contributory provisions are different than the pension funds as paid out of current revenue and what that would provide for is the continuance of a person appointed president of the university who had been at the university either previously or immediately previously who could have been employed somewhere else. So, he would not in fact have had a pension plan at the university previous to his appointment as president. Those two contingencies are provided for where a person would be appointed who was previously at the university and has been in their pension scheme, or a person who could be appointed president of the university who had not been previously been at that university.

The overall factor is putting the provision, the pension provision as a matter of negotiation between the university, the Board of Regents, and the president rather than the government.

MR. SPEAKER: The honourable Member for St. Barbe North.

MR. OTTENHEIMER: I should add, maybe I just should add. Well, that is clear in the explanatory note anyway that this is not retroactive. It does not alter the position of the former President who, of course, was appointed by the government and whose pension was not a matter agreed upon between the University and the President but between the government and the President. It is for the present and future Presidents.

MR. ROWE: Mr. Speaker, the honourable the minister just answered the first question. Sir, this seems to be nothing more than a piece of tidying up legislation to keep it in line with the legislation that was brought in last year whereby the President of our University will henceforth be appointed by the University itself with a Board of Regents. So it only seems reasonable that any pension awarded to such a President would be administered by the University. Sir, I do not know if this is quite in order and I do not know whether the minister would like to comment on it in a kind of a general way. I never had an opportunity through legislation up to this point to ask this kind of a question. If the minister feels like answering it now, well, fine and dandy. If it is out of order I guess it is out of order. But I would like for the minister to comment just generally on this whole business of pensions with respect to teachers' pensions working with the NTA, and teachers, say, at the University or professors at the University and then pensions in other government services, the transferability of these types of pensions. If you move from a teaching position to a university position to the civil service, or back and forth and so forth and so on, it seems that these individuals have a good chance of having their pension plans completely wiped out in some cases. I know in my own particular case the money that I had paid into a pension plan from 1960 to 1964 I cannot even get my hands on it. I cannot even withdraw



a small fraction of it although legislation has come in since but it is not retroactive until that time. I was wondering if the minister and/or the government have given any consideration to making these kinds of pension plans more transferable, if that is the right expression, so that people who are in the general area of education and the public service can move around in these different areas, whether it be politics or the civil service or the university or the vocational school or the College of Trades and Technology or the schools themselves. If there have been any effort on the part of this administration to try to make those pensions transferable or lock them or link them together in such a way that the individual does not suffer because he is probably trying to get a better job opportunity or he is going into an area, well, a school for the blind, a school for the deaf and this sort of a thing. I think I need go no further in this question. I think the minister gets the point of the question and I would appreciate an answer to that.

MR. SPEAKER: The honourable Minister of Education.

MR. OTTENHEIMER: Mr. Speaker, as I recall it there is transferability now between the civil service and the teaching profession, one way or the other. There is that transferability. With respect to the University and the government service I do not think there is. I mean, there is not on a universal basis. Between the civil service and the teaching profession there is. Certainly, in my opinion and I think it would be the government's opinion too, that the concept of overall transferability of overall portability is a very valid one. There is no transferability now, for example, from teaching to service in the provincial legislature or the Federal House of Commons. I think that that is unfortunate and that that should be rectified. I can say, and I am sure honourable members realize this, it is an extremely complex area, extremely complex because of differences in rates and tenure, numerous matters.

But there is in fact a pension committee working on these very matters referred to by the honourable gentleman and I would hope that some at least of what could be called anomalies would be able to be rectified in the near future.

MR. ROWE: (First part inaudible) because my colleagues and myself do support this particular piece of -

MR. SPEAKER: Order, please! Order, please! The minister in speaking has finished the debate. Maybe the Chair was a little negligent in not saying that if the honourable minister speaks now he closes the debate but indeed he has. If by leave the Chair certainly is willing to hear the honourable member. Agreed? Agreed.

MR. ROWE: I must say, Mr. Chairman, thank you very much. That slipped my mind as well. Sir, just in closing, I would just simply request that the minister put the various secretariats, or what have you, into action and try to come up with something within the year on this whole business of trying to figure out a strategy or formula whereby you can have transferability with respect to pension funds. This involves health, sickness, and disability and all this kind of thing as well sometimes. I realize it is very complex but I think what we are doing is we are tying our people down into certain jobs where they would not necessarily like to be and where they are not necessarily making the greatest contribution. I know, for example, of many teachers who would love, would like to get into the political arena and realizing the insecurity of it and the problem with the pension and going back, and the salary, not to mention anything else, we are going to lose people who could make a great contribution to the economy, culture, anything else of our Province.

So I would simply request that the minister almost set up a special task force. Oh! I had better not follow in that trap not another one. No, take a part of one of the task forces, Sir,

and get to work on this one immediately and see if some formula cannot be derived for the purposes of making pensions more transferable.

On motion second reading of a bill, "An Act Further To Amend The Memorial University Pensions Act," read a second time, ordered referred to a Committee of the Whole House presently by leave.

On motion second reading of a bill, "An Act Further To Amend The Education (Teacher Training) Act."

MR. SPEAKER: The honourable Minister of Education.

MR. OTTENHEIMER: Mr. Speaker, just a couple of first preliminary remarks in introducing this bill are also operative for the next one I will be introducing. So, the preliminary remarks will be and that is that this bill and the succeeding one are the result of consultation meetings and recommendations through the General Advisory Committee which is made up of the Department of Education, the University, the NTA, the church authorities, the Federation of School Boards and these are pretty much tidying up, housekeeping legislation, not of a controversial nature. So that is true of this one and the one to succeed.

Now this particular one, bill (26) will do essentially three things. Number one, there is a Teachers' Certification Committee which to date is made up of representatives of the Department of Education, the Denominational Educational Committees, Memorial University of Newfoundland and the Newfoundland Teachers' Association. This will provide for the addition to that committee of two representatives of the Newfoundland Federation of School Boards. They are now quite active and of course a fairly recent organization. So this will provide for the representation, membership on the Certification Committee of the Federation of School Boards.

It will secondly permit the Certification Committee which is, of course, the Committee which certifies, not very frequently, I suppose decertifies or suspends the certificate for license of a teacher. It will permit this Committee to suspend the certificate or license of a

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teacher who terminates his contract with a school board other than as required by the collective agreement. If a teacher terminates in a way other than required by the collective agreement which is essentially three months notice, then the Certification Committee would have the right to suspend his teaching certificate. This, I should point out, is

agreed to by the Federation, by the N.T.A. and obviously there is a collective agreement entered into by both parties and what it requires is a three month leave of absence, three months notice for termination. And finally, a totally housekeeping thing, whereby the department is authorized to withhold from a teacher's salary any money due to the department by a teacher whose certificate may have been suspended. A teacher's certificate is suspended because he has terminated otherwise than is provided for in the collective agreement and if he owes money to the Department of Education, the Department of Education is authorized to withhold from his salary any money that might be due. It could be, perhaps, money owed to the Department of Education book store, something like that. It could conceivably be an overpayment. It would be more likely, perhaps, a purchase made for school supplies by a teacher and perhaps not paid for. They are the three things which this bill does, and I point out that these are matters which are a recommendation of all groups concerned. I move second reading.

MR. SPEAKER: The Hon. Member for St. Barbe North.

MR. F. ROWE: Mr. Speaker, the first main point in this particular bill is one that obviously we all welcome having two representatives or alternatives, or alternates I should say, members, on the Teachers Certification Committee, which is reasonable. As the minister indicated the Federation of School Boards is a very active group and in fact a vociferous group at the present time. And it is only right that they should have a representative on the Teachers Certification Committee. Sir, the second point which permits the committee to suspend the certificate or licence of a teacher who having contracted to teach with a school board terminates the contract without giving to the board the notice required by the collective agreement made between Her Majesty the Queen in right of Newfoundland and the Federation of School Boards of Newfoundland and the Newfoundland Teachers' Association, Sir, this is one that still disturbs me. Now I can see the reason for it, and I can see the reason against it. Probably that is not putting it quite the right way,

because there are two things that we have to look at here. Number one, let us just take a hypothetical case. A teacher, a young university graduate, for instance, leaving the university this coming Spring and, of course, by this time he would have had a number of applications out to a number of school boards throughout the Province. Now as the minister very well knows we got a teacher supply problem in this Province, all over the Province of Newfoundland and Labrador we have a teacher shortage -

AN HON. MEMBER: (Inaudible).

MR. F. ROWE: We have overcrowded classrooms -

MR. ROUSSEAU: (Inaudible).

MR. F. ROWE: No. If the Hon. Minister of Transportation and Communications would listen he would understand exactly what I am talking about. That is probably a generalization -

MR. NEARY: He is the expert on it.

MR. F. ROWE: - where you can find many exceptions to. Because in certain areas of the Province like obviously St. John's, Grand Falls, Gander, Corner Brook and other larger centres like Marystown, Labrador, the Goose Bay area, you have hundreds or probably thousands of applications coming into these school boards from teachers wanting to teach in these particular areas. And you have an example, for instance, up in Flowers Cove and Bird Cove and Plum Point and Green Island Cove, these are the ones I am familiar with obviously because they are in my district, where teachers had to be imported. Many of the teachers up there. I would go so far as to say that half of the teachers - no, I will not be pinned down - let us put it this way. A large percentage of the teachers teaching in the very rural district of St. Barbe North, and that is only one example of many districts, are American teachers, Indian teachers, teachers from Trinidad, teachers from Pakistan, from the Philippines, and there is nothing wrong with that, but what I am pointing out is that there are areas of our Province where Newfoundlanders will not go to teach, Newfoundland teachers. And there are other areas where they are scraping and crawling, almost like the evacuation of Viet Nam, they are trying to get into these schools. Now what does all this mean? This means that the

school boards themselves realize, some school boards realize the position they are in. They realize that they have schools that are attractive to certain teachers, and they realize that they will get a hundred or so applications, and they further realize that they can hang her down to the eleventh hour, the school boards can hang her down to the eleventh hour and if they need five teachers they will pick the cream of the crop from say those one hundred applications. Now by this time, Sir, the other ninety-five per cent or so are panicky. They do not know what to do. Now the question I am asking is, although obviously we can see the reason for giving the right to suspend without giving this three months notice - I mean that is a necessity under the collective bargaining agreement, right? That is absolutely necessary. What I am asking the Minister of Education to indicate to the House, Sir, is what is being done to protect the teachers, because this is to protect the boards, obviously, and indirectly the government, I suppose, and D.E.C.s, but what is being done to protect the teachers? You know, what is the end point? At what point must the school board inform an applicant whether or not he or she will be hired on for the forthcoming year? This is one thing that has always concerned me. You know, protection of the board on the one hand and protection of the teacher on the other. I think that is about all. Obviously the last part, owing money, follows reasonably more so than what motivated this.

MR. SPEAKER: If the honourable minister speaks now he closes the debate.

MR. OTTENHEIMER: Mr. Speaker, I realize the matters or difficulties referred to by the Hon. Member for St. Barbe North. What I would say is this that the teachers and the boards, through the collective agreement, decide upon a number of matters, including things such as the period of notice a teacher should give to resign. And this essentially is binding on the teachers and the boards and is the protection of the teachers and the protection of the boards. What we are doing, what the House is being asked to do is, if you wish, to give the protection to the pupil, if you wish, to make the legal requirement

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that what is agreed to in the collective agreement with respect to  
whatever period of notification is necessary for a teacher to resign  
that that is



a legal requirement by statute as well as one under the collective agreement. The period is now three months. Of course, it could be less. It could be more. Any matters that the Teacher's Association or school boards wished in for the protection of their own interests would obviously be a negotiated matter. This will not require, this act will not require any specific time for resignation but will require that the time agreed to and signed in the collective agreement be recognized by the teachers.

I suppose the simplest way of putting it is that the collective agreement protects the teachers and the boards and through statute making it necessary that the provisions of that collective agreement are here given the sanction of statute as well, and I suppose in a sense one could say that the legislature is there protecting the student body. I move second reading.

On motion a bill, "An Act Further To Amend The Education (Teacher Training) Act," read a second time, ordered referred to a Committee of the Whole House presently by leave.

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

MR. SPEAKER: The honourable Minister of Education.

MR. OTTENHEIMER: Mr. Speaker, the preliminary remarks I made on the previous bill are operative here. This will do four things. One refers to school board membership. What it does is that when the time comes for elections, all positions shall be vacant. That is what it means. Let us say that X resigns and Y is appointed. He is appointed one year. The elections and the appointments are usually for four years. Somebody could resign or move out one or two years before the next election comes. This will see that he does not hold office then for four years. When the election comes all positions are vacant.

The law requires that at least one-third be elected. There are many boards with more than one-third elected. There are those who feel, and I must say I am in general sympathy that there should be a larger percentage elected, and perhaps the majority, and indeed perhaps in time all.

There is, of course, then the other side of the coin. As members might know, that when we did have the elections last year in many areas there was a difficulty in getting people to run. That was a problem as well. It may well have been because it was the first time. It may well have been also because the procedures were somewhat complicated. Certainly before the next election to the school boards would come that would not be in for more than two years. It is our intention to greatly simplify the process. I certainly do not think that, you know, one needs the voters lists and going through all of the formalities and rigidities of a provincial election for school board membership. I think the thing can be done, you know, on an honor system.

AN HONOURABLE MEMBER: Why not have it the same time you are having a provincial election?

MR. OTTENHEIMER: You could. You see school board elections come every four years, but a provincial election could come, you know, in less than four years. You know, we had one within several months in 1971-1972. You know, in 1971-1972 we had provincial elections within several months. Plus if it were, you know, a system as in the United States where the elections come in the various states at various times and everybody knows on the day they were elected when the next election is coming, I think it would probably be a very good idea. But, under our system -

MR. NEARY: How about when you are having the municipal elections? They are all the same time.

MR. OTTENHEIMER: The municipal elections are all the same time. That is certainly a possibility, and one which I think makes sense. I would certainly be pleased to look into that. I think that makes sense.

MR. NEARY: Very good. Thank you very much, Sir.

MR. OTTENHEIMER: We always listen to good suggestions.

MR. NEARY: I am always making positive, constructive -

MR. OTTENHEIMER: Well, when the honourable gentleman does, I certainly take note of them. I think that was a good one. So, that is the first thing the bill does.

The second thing is quite technical. Up until the passage of this act, teachers are paid twelve times a year. Well, no, they are paid actually every two weeks, but it is based on per month. Now,

what has happened up to now is that for ten months the board send them the checks and for two months the Department of Education does. What this does is that for the whole period of twelve months it is the boards which send them the checks. It is an area of housekeeping matter.

The third thing the bill does would authorize as the counting of a teaching day, a day in which a teacher has acted on an arbitration board, an arbitration board coming from the collective agreement. So, if under the collective agreement the matter goes to arbitration, the teacher has to spend a day or several on that arbitration board, he is not penalized financially because of that.

The fourth thing it does, it will no longer be mandatory or obligatory for a principal to convene a meeting of the staff at least one day before the commencement of school. Up until the passage of this act that was obligatory. In certain cases it was, if not impossible, it was extremely inconvenient and both the Teachers' Association and the school boards are in agreement there. This does not prohibit them from doing it. They could do it one day ahead. They can do it a few days ahead. They can do it on the weekend after school starts. But, it is no longer legally obligatory in every case in every school for every principal to convene a one day meeting before the opening of school. And this essentially because in certain instances it was felt that that kind of professional review or meeting could better be done, you know, maybe the Saturday after school opened or that type of thing. That is basically what it does.

AN HONOURABLE MEMBER: Inaudible.

MR. OTTENHEIMER: Wait now.

AN HONOURABLE MEMBER: The first paragraph in the explanatory note.

MR. OTTENHEIMER: Right, right, right. Yes, this authorizes the Department of Education to withhold from a paycheck to a teacher any money which might be owed by that teacher to the government.

MR. NEARY: Why would they owe the government money?

MR. OTTENHEIMER: Not that it is that common at all, but, I suppose, there will probably be the instance where there will be more the possibility of that, would be a teacher again as in previous ordering

something from the school supplies division.

MR. NEARY: That is not a loan.

MR. OTTENHEIMER: No, no.

MR. NEARY: Not a student loan.

MR. OTTENHEIMER: No, no, no. This has to do with - it could conceivably be an overpayment as well. A teacher could be inadvertently overpaid. This happens sometimes, especially in the first month or two. There can be an overpayment. Naturally that has to be recuperated. So, it could be an overpayment. It could be a purchase through the school supplies division of some books. I would say these would be the most likely instances.

MR. NEARY: There is no way that it includes loans, you know, student loans -

MR. OTTENHEIMER: Under the Canada Student Loan Plan, no, no, no, no. Because there the money is not even owed to this government but would be owed to a branch of an agency of the federal government. It does not refer to that.

MR. SPEAKER: The honourable Member for St. Barbe North.

MR. F. ROWE: Sir, the first part which the minister mentioned refers to school board membership. The government is to be commended for bringing in legislation for requiring that one-third of the membership of the school board be elected and the other two-thirds be appointed, or in some cases part of that two-thirds in certain areas have been actually elected.

Sir, I think the time has come now. Things in education sort of tend to evolve. You do not have revolutions in education. It is a sort of a slow process.

AN HONOURABLE MEMBER: Like the House of Assembly.

MR. F. ROWE: Like the House of Assembly, Sir. But, this seems to be the history of education, whether it is at the elementary, primary, secondary, or university or higher education level, things do not change rapidly. They tend to evolve very slowly. Such is the case, Sir, with respect to membership of the school boards.

MR. ROWE: And now we have reached the point in time in this Province where it should be required by law that one half, at least fifty per cent -

AN HON. MEMBER: Have not got one hundred per cent.

MR. ROWE: Well there are reasons, My initial remarks were sort of meant to indicate that probably you know slap it in the law one hundred per cent however desired will tend to upset certain elements in the educational community. And you, know might, cause more trouble that necessary and therefore, although I hate to sound conservative, gee whiz that is the last thing -

SOME HON. MEMBERS: Inaudible.

MR. NEARY: He is being a real Tory, ultra Conservative now.

MR. ROWE: But, Sir, however much one would like to say, throw in the one hundred per cent, one hundred per cent elected, however desirable that may be it would cause difficulties and in the field of education if the art of compromise was ever required as a strategy this is one area where it is required and I know that from being a student, a teacher, and having had a father who was Minister of Education at one stage of the game. I used to browbeat him at home, why do you not do this, why do you not do that? And then it was explained to me the different power groups in education, and how it is a compromise, the things that satisfies most groups, to the satisfaction of most groups, is what is necessary and if you do not go along with that general kind of a strategy you find yourself in one heck of a lot of trouble. It is as simple as that.

But, Sir - there is another reason apart from that, "Steve"; you know - these guys are elected, the school board members -

MR. NEARY: Dissension in the ranks.

MR. ROWE: Vicious split, Sir, vicious -

MR. SIMMONS: Socrates and Aristotle.

MR. ROWE: A lunch hour caucus we will have to have over this one.

MR. SIMMONS: Socrates and Aristotle, we will figure out who is -

MR. ROWE: But there is another reason, Sir, that we should not demand one

hundred per cent elected, you know, After all these people are - well you could go for or against it, it is not really an argument I suppose, but these people are not paid and one wonders, one raises this question at this point in time, the two ways of getting maximum efficiency from officials -

MR. NEARY: Councillors and mayors are not.

MR. ROWE: Whether they be councillors or mayors or government members or school board members, if they are responsible to groups, whether communities or students and parents, the two requirements for maximum efficiency I would recommend is that they be directly responsible to those whom they represent, which means they are elected by those whom they represent and therefore they are answerable to those who elect them. That is one way of gaining maximum efficiency.

Another way, Sir, of gaining maximum efficiency, I would submit, is that some form of payment be made to people acting on school boards. Now I know I might be opening up a can of worms, Sir, but the fact of the matter is this, is that we do not have too many people in this day and age, not that they do not want to, but they cannot afford to put in hour after hour, night after night, weekend after weekend, trying to serve on a school board when they are suffering financially. And, Sir, everybody knows that we are in a period of galloping inflation now, high cost of living, everybody is scraping for the last dollar, where there are more things that people want to buy, more conveniences available to buy - that is not the word I meant to use, but more appliances and all this sort of thing - but it is pretty difficult to expect people to give of their time freely. It is not an opinion, Sir, it is a fact of life, and I would submit that unless these people are wholly and solely answerable to their constituents, you know, under the jurisdiction of the school board, and unless they are compensated in some small way, I do not know what kind of a formula you would use, that we will not get -

MR. NEARY: Unless they could have some influence on the system.

MR. ROWE: Right, unless they of course have some - through the Federation

of School Boards, they can have some influence on the system, but Sir, I am talking about efficiency here.

MR. BARRY: It is taking money out of one pocket into the other though. The taxpayer ends up paying it.

MR. ROWE: Oh of course.

MR. SIMMONS: By that argument we should not pay the minister, of course.

MR. BARRY: Inaudible.

MR. SIMMONS: By that argument we should not pay the minister.

MR. SPEAKER: Order, please!

MR. ROWE: The Minister of Mines and Energy is absolutely correct.

The money in the final analysis comes from the pockets of the people.

MR. SIMMONS: Will he volunteer his services.

MR. ROWE: But do not forget, Sir, that we had in excess of 200 school boards a few years ago, in excess of 200 school boards and now they have been reduced to -

MR. SIMMONS: 35.

MR. ROWE: 35 school boards and they are, I would assume, more efficient and fairly massive organizations and therefore professional and they do have full-time employees with the school boards, full-time employees with the school boards, but the decision makers, the members of the school boards are not one hundred per cent accountable to their jurisdiction, their electorate in other words, because up to two-thirds of them can be appointed and it is pretty difficult to get a group of businessmen, professionals, ordinary workers, anybody in this day and age to take weekends, evenings and this sort of thing off to make their contribution to their school board.

I am not saying that they do not do it because there are hundreds of people who do do it, but I would recommend in order to maximize the effort of school boards in this Province that the government should go one step further and make it fifty per cent requirement for election and give some consideration to some sort of a stipend or amount per meeting, say. I do not know if that is the formula or what but I will just mention that for purposes of debate because I think it is something that we are going to have to grapple with in the near future.

I am glad the minister did say that last year, or the last school board elections were a little bit of a disaster, and I think obviously if the process is simplified in the future that this will not occur again and that if more effort is given to educating the electorate with respect to school boards this matter will be overcome.

The matter of the school boards paying for the full twelve months now makes sense. Arbitration board days consuming, taking the time of the teachers, having them paid a teaching day for serving on an arbitration board, that also makes sense and the last point that the minister made, it is no longer mandatory to have a meeting of the teaching staff at least one day before the commencement of the school year. Obviously that provided a very awkward situation for many principals and staff.

But with respect to the first point, Sir, school board membership, I repeat, I think the time has come, you step her up one more notch towards the ultimate, up to fifty per cent requirement for election - you know fifty per cent of the school boards should be elected. I would love to say one hundred per cent but for reasons that I mentioned before, I think it is better to do it a step at a time, and with respect to maximizing the efforts of the school boards I think we got to get to the point now where these people are considered more as working professionals rather than as voluntary assistants and help in the Province, because of the nature of our modern times.

MR. SPEAKER: If the honourable minister speaks now he closes the debate.

MR. SIMMONS: Before the minister speaks just a few comments on the bill. First of all, the matter of school board membership - I am pleased to see that this matter is getting tidied up a little further. I believe my colleague has said what needs to be said on the subject of elected boards. I would like to put two or three questions to the minister which he might answer during his response or his closing of debate. Perhaps



he could indicate what kind of progress is being made now across the Province in terms of the legislation to provide for elected board. Is he in a position to say what percentage of, say, board members across the Province are elected? I realize that he might not have the figures right at hand, but even in general terms what percentage is elected now across the Province? And a related question, are the boards experiencing the kind of difficulty that he alluded to the first time around. There must have been some recent elections in the last few months, I would think. Are the boards still experiencing difficulties in getting candidates to stand and to get a fair number of electors to turn out to cast ballots in the school board elections.

When the regulations were first sent out, the regulations of the school board election I was in an education position at the time, and I took a rather strong exception to the complexity of the regulations. It is a feeling that is shared by a number of educators across the Province. I still feel that that is one of the reasons why there was some reticence on the part of people to get involved. I believe the second version of the regulations, if I may refer to it as such, was a step in the right direction. But would the minister indicate whether it still continues to be a problem with the matter of elections, a problem in the sense that people are probably dissuaded from getting involved because of the apparent complex nature of the operation.

Another subject that I believe is somewhat related to the bill, although it is for Mr. Speaker to decide, is the matter of further consolidation of school boards. I know there was some discussion on that matter. Perhaps the minister would be kind enough to indicate his or the government's view on it. And if there are any active discussions taking place now? I am aware of a proposal a couple of years ago to further consolidate the existing thirty-five or so boards into a smaller number of units.

Another subject that perhaps we can raise under this item is the matter of long-term financing. Perhaps the minister, if I can

get his ear for a second, perhaps the minister would indicate or bring us up to date on long-term financing, what the government's view is on it? And whether longer term financing is a likely prospect? I subscribe very much to the principle that an item, whether it be a car or a home or a school, an item that is going to be used over an extended period of time ought to be paid for over that period of time particularly when you get into the public sector. There is no reason why we should require the parents of today's students to pay for capital outlays that will affect or be of advantage to people for fifty or sixty years to come. I am thinking particularly of course, of steel and masonry construction. And while financing over a fifty year term might be stretching a bit, but certainly twenty, twenty-five years as opposed to the present eight or ten years is a matter, is a case that - or is an item that a good case can be made for, and I believe has been made. And I would like to hear the minister's comments on that matter and in particular what the hopes are of the boards getting long-term financing. It would certainly, Mr. Speaker, do a great deal to ease the position of the boards insofar as providing additional facilities is concerned.

On a couple of other items quickly, Mr. Speaker. The matter of withholding salary as provided for in this bill. I am not going to take a position against it but I am going to raise a question. During my time involved with the schools I often found that there is something slightly somewhat distasteful about the idea that if the school principal, because in most cases now, this reference here or this provision here about withholding teachers salaries insofar as it affects the purchase of supplies from the schools supplies division, in most cases that provision would apply only to the principal who very often does the ordering for the schools. But I found it somewhat distasteful that the person's, the individual's personal salary was attached in those circumstances. I do not know if there is another way around it. I certainly agree it is a very effective way of collecting the bill. But whether it is the fair way, whether it is the proper way to do it, because what that provision

says, in effect, I do not think there are too many other precedents for it in the business world. What the provision says in effect is that the person is being held personally liable for an act which he commits in his role as a school principal. He is being held personally rather than professionally liable. His personal salary is being attached. And I am not sure if we can muster a very weighty argument to support that inference. And I look at the business world and I can not see offhand, now the minister may be able to enlighten me on this, but I can not see offhand too many instances where the manager of an enterprise has his wages attached personally for some default within the management of the enterprise. And there comes a point where he is called to task, and he is not doing the job, and he is fired, of course, there is that possibility. And that possibility exists equally in the case of the school principal.

But otherwise where is there in industry or in business the instance where a fellow's salary is personally attached because a bill of the company, a bill of the school is not paid up. Now the minister will be probably be quick to point out that the bill is in the principal's name, and that is right. And that is the other thing that may well be wrong with the regulations. I know from ordering books as a school principal for years that the division insisted that the bill not be in the name of the school but in the name of an individual. So in that sense, in having signed his name on the dotted line, of course, he is, I would surmise, personally liable. Now I am not talking about the technicalities involved, I am talking about the overriding implication here, that a fellow who in the execution of his duty as the manager of the enterprise, when you put it in those terms, as a principal of the school, in the execution of his duties in that respect he is being held personally responsible and his wages are being attached if there is a default on a matter which affects the management of the school. It is not that he has stolen the money personally or anything of that nature, but if it does not turn up for any reason in the department by a given date, it is my understanding that the wages are attached.

I would like for the minister to comment on that, and in particular to indicate whether his department has considered some

other courses of action which would get away from what I describe as this rather distasteful way of, distasteful but effective way of collecting the bill.

Finally I would like to comment on the other provision in the bill, that of deleting the requirement that a principal convene a meeting on the day before school opens. I am glad to see this. It is one of the several things that was in the Schools Act in 1969 when it was first introduced here, I was actually involved with the NTA at that particular time, and I remember that there were eighty-seven items in that bill to which we took exception. This is one of the eighty-seven. When the bill was finally passed I believe there were just twelve or thirteen items because there were some compromises along the way. But when the bill was first introduced there were eighty-seven items to which we and the NTA took exception, and subsequently twelve or fifteen remained in there. This is one of the twelve or so that did remain in. I took a strong exception to it then and I do now, because of the implication.

Let me say first of all that I took a strong exception to a number of things that were in the Schools Act in 1969. And I will point out before the minister does that it was brought in a Liberal Government and all that kind of thing. It goes to show once again, of course, --

MR. HICKMAN: Democracy.

MR. SIMMONS: Democracy at work, as my friend the Minister of Justice reminds me.

AN HON. MEMBER: Inaudible.

MR. SIMMONS: I did not care what the label of the government was, I happen to take exception to that on various grounds, including educational grounds. And the Act itself was pretty prescriptive, he made that point over and over. It attempted to outline in too much detail what the various people in the educational enterprise should be doing from time to time, like the time they should arrive at school, and when they should leave and that kind of thing, and how they should prepare their lessons and so on. This is one of the items

that should have been thrown out before, and I am glad is being  
thrown out now. Because the implication is that the principal  
without this regulation in here is going to stroll into a school  
9:00 o'clock in the morning that the school is suppose to open  
and say, well boys here I am now what is it that we got to do this  
year.

My experience with

school principals is not that. It is that you will find them around the school much earlier than the day before school opens. And, of course, like in every enterprise there are good principals and there are bad ones, if I might use those two terms. There is good and bad in almost any particular occupation or set of careers. And I found the principal who even if you had ten sets of regulations like this would be straggling in at the last minute. By and large I found that the principal had his homework done without the need for any provision in the act to tell him to get moving, and that is what that provision used to tell him, and I am glad it is being removed because it does say to the principal once again, look, we trust you to do the job. We are going to continue to trust you as long as you do the job. The day you do not do the job we are going to fire you and that is the board's prerogative, and it should not have to depend on any details such as this one which heretofore has been in the act. So I certainly commend the minister and his officials for finally removing this sore point from the act as it affects managers, if you like, educators or principals in the education profession.

MR. SPEAKER: If the honourable minister speaks now he closes the debate.

MR. OTTENHEIMER: Mr. Speaker, a few brief comments on matters referred to by previous speakers. Yes, the change in the act whereby there will no longer be the requirement for the principal to convene a meeting of the teaching staff the day before the commencement of school is, of course, because it was the opinion of government and indeed of others, of people both professionally involved in education, that this was an overly prescriptive - not that the idea itself was wrong but that this kind of prescription by legislation was not necessary and that we are dealing with professional people and the professional association and that that kind of prescriptive statutory provision was not necessary and could well be regarded as insulting. I suppose that would be a fair enough word.

With reference to the attaching of a salary, certainly this is not something which is done as a first resort. I can certainly realize that this is certainly distasteful or certainly would be distasteful for a person whose salary is so attached. On the other side of the coin, of course, these are public funds and the government does have a responsibility to ensure that money owed is money paid, a real responsibility there for which we would quite rightly be criticized, I would think, by the Auditor General if we did not take every reasonable and effective measure to assure that money is repaid. And, of course, this would only be done after a number of bills had been sent out, you know, and there was some indication not, you know, of writing back and saying, I hope to have this matter finalized within the next month or that type of thing sort of more or less, you know, no response whatsoever as a last measure.

MR. SIMMONS: Would the minister just permit a question? I meant - just a preamble to my question - to draw an analogy with the situation which exists when a private enterprise is trying to collect an outstanding bill and attaches a person's wages. As I understand it, unless there has been a recent change, funds from the treasury cannot be attached. Now you have this further unfairness here in that because the person is at once receiving his salary from government and at the same time has an outstanding account with government, you have the situation which does not exist anywhere else -

MR. OTTENHEIMER: Right.

MR. SIMMONS: where his salary is being attached, but if I own a construction company and you owe me money, or I own a business, and you owe me money, and I try and attach your wages because you have worked with government -

MR. OTTENHEIMER: Right.

MR. SIMMONS: - I cannot do it under the existing laws. But the teacher in that sense is being discriminated against - I strike that word - is in a situation which, I think, is unfair and which is not parallel anywhere else in the country.

MR. OTTENHEIMER: I recognize, you know, that there is a different situation there and the only reason for it, I think, is because we are

dealing not with funds of a private corporation or a private company but in effect with public funds. It would be public funds which are being owed, and they are public funds which make up the salary of the teachers. I realize that is different than the way it would operate in the private sector. It may be, naturally, to the best of my knowledge, at least the two and one-half years that I have been there, we have never had any representation from the Teachers' Association on this matter, and I doubt if it is employed often. We have never had any representation from them on it. There may be other ways of assuring that the public funds owing to the public treasury can be reasonably and effectively recuperated. There may be. I would certainly be willing to look into it.

With respect to remarks about further elections to school boards, certainly I believe in the principle of accountability. I think that we have to increase the number, certainly to one-half or perhaps to two-thirds. I think, myself, that the day may well come when it will be one hundred per cent, or very close to it. Certainly I am of the opinion that we do not need the complexity for school board elections that we have had. I think the thing can be simplified totally, by people coming to vote and signing on their honour that they are residents of the area entitled to vote and have not previously voted, and then just vote. I do not think it is necessary to have swearing in and voters' lists and all of this complexity. You know, they are not partisan elections. There are no parties, there are no salaries involved. If a person is interested enough to run then he should be encouraged and the people should be encouraged to vote, and I do not see the need for either the expenditure of funds or time or the added complexity of going through the procedures, and I think it could be done purely on an honour system. I cannot really see anybody for any reason taking advantage of it. The difficulty with the numbers of people running and the numbers of people voting, too, could well be due to two factors (1) I think the complexity and (2) perhaps that it was the first time. I would certainly think that in the



next general election for school boards with a greatly simplified process I do not think we would have quite the same problem. With respect to further consolidation some school boards are looking at their boundaries and thinking in terms of some re-adjustments but there is not contemplated to my knowledge a major matter of consolidation whereby, let us say, the number of school boards will be reduced by ten or fifteen or reduced at all necessarily, but some re-alignment perhaps of boundaries and it could well be with the scattered population we have in rural areas although naturally, you know, in terms of efficiency one often thinks of larger boards, and there are strong arguments which can be put forward for having less boards. There are obviously on the other side of the coin that, you know, there has to be a happy medium and it can get so large. I am not thinking of population as concentrated in small areas but in the rural boards covering quite some distances, and there could be quite an impersonality. And sometimes small communities, even to date, feel a bit left out of the larger boards. So there is no thought at present of reducing the number of boards.

Finally, long-term financing. Of course, all I can say there is, as honourable gentlemen know, we do have a commitment of \$135 million expenditure over the next ten year period. So it is long-term in the sense that it is up to ten years. I know that there are those who are requesting and hoping that this can be over a longer period. All I can say is that government, you know, is certainly aware of their requests, aware of the financial problems of school boards and continuing to study it from the point of view of how or can one, a government, extend that period without in other ways impairing the ability to borrow of the Province with a regular governmental programme. That is what we are examining.

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

May 1, 1975

Tape 1962 (morning)

1B-1

Motion second reading of a bill, "An Act Further To Amend The Department Of Finance Act."

MR. SPEAKER: The honourable the Minister of Justice.

MR. HICKMAN: This is merely a housekeeping bill, Mr. Speaker. Some years ago there was an amendment to the Department of Finance Act providing for the appointment of an assistant deputy minister (revenue). It is the feeling of the officials in the department that the department can run much more effectively if instead of having him called the assistant deputy minister (revenue) that he simply be an assistant deputy minister along with the other assistant deputy minister. That means that we have a minister, a deputy, two assistants; under one assistant comes government accounts, taxation administration, and under the other assistant deputy minister, payrolls and pension, loans guaranteed and debt management and administration. A forward piece of legislation!

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, although the minister says that this is just a very simple piece of legislation, Sir, it is not really all that simple. Mr. Speaker, it is an amendment to the Department of Finance Act to establish a new post, to establish the post of assistant deputy minister of finance. That is what it does, Sir. The minister just brushes it off as if it was nothing. Sir, this bill would amend the principle act to abolish the post of assistant deputy minister of finance (revenue) in parenthesis. It will establish an additional post of deputy minister of finance.

Well, Sir, the minister certainly must not place very much importance on this position. Just shrugs his shoulders and brushes it off saying, you know all we are doing is making a minor change here. They are only establishing a new position, Sir.

AN HONOURABLE MEMBER: No.

MR. NEARY: Yes, Sir. Establishing an additional post of assistant deputy minister of finance.

MR. HICKMAN: We are replacing the deputy minister of finance (revenue).

MR. NEARY: Well, that is what I just said.

MR. HICKMAN: Yes, but it is the same person. All it is is the assistant deputy minister of finance. You just cross out revenue, the word revenue.

MR. NEARY: Sir, I am well aware of that. It just takes out the word revenue. But, it creates a new post and gives the gentleman in that job additional responsibility and additional salary, I might say, a substantial increase in salary.

MR. HICKMAN: (Inaudible.) the same as anybody else.

MR. NEARY: Well, Sir, the minister can go and check it and find out.

Mr. Speaker, I presume that the new gentleman, whoever he may be, the assistant deputy minister of finance whoever he may be at the moment will be responsible for collecting the social security tax. I presume he will, Sir. Did the minister nod yes or no that this is so?

MR. HICKMAN: Yes.

MR. NEARY: It is so.

MR. HICKMAN: He is responsible now.

MR. NEARY: I beg your pardon?

MR. HICKMAN: He is responsible now.

MR. NEARY: He is responsible for it now. Now they are going to take that out, revenue out. This assistant deputy minister will still be responsible for collecting the social security tax. Well, Sir, I have seen recently some of these papers, these publications that are put out by various agencies. I do not know what they are called now. I saw one the other day with a whole list of outstanding debts to the government in the form of social security tax. So, I do not know whether the assistant deputy minister of finance (revenue) is doing his job or not. What I would like to know, Mr. Speaker, is how these huge amounts are created. Why are they let go for such long periods? Why are they not kept current? Why does not the assistant deputy minister of finance take action on a monthly basis rather than let these amounts accumulate over a period of a year or two years. Some of the amounts that I saw, Sir, were in the thousands of dollars. Would the minister explain to the House how this happens?

Is it because the government, that administration, the Minister of Finance has advised the assistant deputy minister of finance to keep hands off, not to be too severe on these people? The government, Sir, is owed thousands. I do not know how much but I would submit thousands if not hundreds of thousands of dollars in SSA tax. A lot of it is

uncollectable because the companies under the Companies Act have declared bankruptcy. But, how does it happen, Mr. Speaker? With an assistant deputy minister of finance (revenue) and a staff, how can he sit back and let this go on and let these huge amounts accumulate month in and month out without taking action against these people?

Mr. Speaker, cannot these accounts be kept current? Can the minister tell us? Can the minister explain to us, clarify the situation for me? I can never understand it. Can they not be kept current? The government, Sir, I would submit is losing thousands and thousands of dollars a year in revenue because before they get a chance to collect the arrears the company declares bankruptcy. This particular list I saw the other day, a number of companies had gone into liquidation, either were forced to liquidate their assets or went into voluntary liquidation with \$5,000 and \$6,000 and \$7,000 and \$8,000 SSA tax outstanding to the government.

It is beyond me, Sir, to imagine how this can happen. Does the assistant deputy minister of finance not have enough staff, not have enough inspectors to go around to keep a check on these accounts? They should be required, Sir, by law to submit a monthly report. If they do not, they should be whacked into court, a writ served on them. Do not let them get away with it.

Sir, if I owe my taxes or any ordinary person in this Province owes his taxes, it will not be long before the long arm of the law will reach out and grab him and force him to pay up. Why are these individuals and companies allowed to accumulate huge amounts of SSA tax over a period of twelve months, sometimes up as much as two years? A lot of them in some instances, Sir, have a license to operate from another agency of government. It is beyond me, Sir, to comprehend why this is happening. I would like to have a full explanation from the minister on this, what he terms a very simple thing, just doing away with one post and creating a new post.

Sir, that is all I have to say about this but I would certainly like to have an explanation of it.

MR. HICKMAN: Mr. Speaker, the honourable gentleman from Bell Island really amazes me. Nothing could be simpler. It would be almost - no.

there is another bill on this Order Paper that is simpler. That is the one that amends certain commas in the statute. All this does is change the title of a person who is already there. He is no longer going to be called assistant deputy minister (revenue). He is going to be called assistant deputy minister along with his confrere, the other assistant deputy minister, because he has additional post.

The honourable gentleman did not realize but when he was talking about the list that he saw of writs that had been issued, it is proof positive that there has indeed been a tremendous improvement in the collection procedures in that department.

MR. NEARY: Not according to what I saw.

MR. HICKMAN: The reason for it is that the people down there now in finance move very, very swiftly. As soon as there is any accumulated indebtedness, my department fills the breach, issues the writ and then it is reported on this little sheet that the honourable gentleman has seen. I am told by finance that there has been an improvement. I know there has from my department's point of view. I can recall some years ago when SSA accounts were outstanding for years and years and years simply because we did not have the staff in the Department of Justice to process the writs. Now, we do it with vigor and enthusiasm and we have collected a great deal of money. I move second reading.

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: Oh, I am sorry.

AN HONOURABLE MEMBER: The honourable minister has closed the debate.

MR. HICKMAN: I did not hear you.

MR. NEARY: By leave, Sir, you can give a member by leave -

AN HONOURABLE MEMBER: By leave.

AN HONOURABLE MEMBER: Okay, by leave.

MR. GILLET: Very briefly, Mr. Speaker. I was interested in the remarks made by my honourable colleague from Bell Island and the reply given by the Minister of Justice. He mentioned that years ago the SSA used to go on up into maybe the years. This is one thing that has been of concern,

May 1, 1975

Tape 1962 (morning)

IB-5

I imagine, to all business people throughout Newfoundland, not as much today as it was then because more business is done on a cash basis. But, I can assure you, Mr. Speaker, that there have been thousands upon thousands of dollars of SSA paid into the department, into the Government of Newfoundland which has never been collected. The debts have just been written off. Business was done on a credit basis. The SSA by law had to be charged and submitted but the account was never paid. It was written off.

So, I think

myself really instead of just saying that we are going to take legal action against a firm, I think a complete investigation should be made of that firm's books, its records, to find out how much of this S.S.A. has not been paid by the consumer, much less the principal, but the S.S.A. I just wanted to make that statement, Mr. Speaker, and I thank the House for giving me the permission to do that.

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

On motion second reading of a bill, "An Act Respecting Public Libraries And Boards To Operate Them."

MR. HICKEY: What is wrong this morning, Mr. Speaker? Mr. Speaker, this bill would amend and consolidate the Public Libraries Act which deals with the establishment and operation of public libraries in the Province so to bring it up to date and in line with the policies of the Public Libraries Board. The main changes are that under the bill the community, local and regional boards which are now operating in the form of corporations would now become part of the main corporation which is set up in this bill. All the assets, liabilities, etc. would obviously be taken over by the corporation, by the board as outlined in this bill, would also provide for the appointment of a chief provincial librarian to replace at least to name the Director of Public Libraries Services provided for under the present act. The present Public Libraries Board and staff and the other boards and staff would continue in office and be replaced from time to time in accordance with the bill. That is basically it, Mr. Speaker.

MR. SPEAKER (Dunphy): The honourable Member for St. Barbe North.

MR. ROWE: For some strange, Mr. Speaker, for some strange reason I thought that was under education. The only question that I can put regarding this particular bill is what were the reasons for it? What motivated it? Was it just in order to streamline the situation? Were these individual boards around the country as corporations running

into difficulty, financial difficult or was this consolidation for purposes of bookkeeping or what? What was the actual motivations for doing this and upon what request or recommendations was this based?

MR. SPEAKER: The minister now speaks, he will close the debate.

MR. HICKEY: Mr. Speaker, the main purposes as I understand it is to streamline the overall operation of libraries -

AN HONOURABLE MEMBER: Inaudible.

MR. HICKEY: - in line with most Provinces, as I understand it. I think most Provinces have what is known as a provincial librarian. We do not as such as the moment. The gentleman who, the Director of Library Services fills that same post almost to the letter. One of the important changes as I see it is at the moment the various boards throughout the Province and there is quite a number and they are ever increasing, are to all intents and purposes corporations unto themselves. They are under the direction of the Director of Library Services. But the assets, the liabilities and the overall responsibilities for the operation are not as clearly defined in the old system as it would be in the new one. It is, to my mind, to streamline the system and cannot do anything but improve.

AN HONOURABLE MEMBER: Inaudible.

MR. HICKEY: Yes, that is basically it.

On motion second reading of a bill, "An Act Respecting Public Libraries and Boards to Operate Them," read a second time, ordered referred to a Committee of the Whole House presently by leave.

On motion second reading of a bill, "An Act Further To Amend The Public Services Pensions Act."

MR. HICKMAN: Mr. Speaker, what I say about this bill applies equally in the main to the next bill, number (33). It was decided in December of 1973 to permit employees who were legitimately ill, employees in the public service to use up their sick leave entitlement before being retired on pension on the understanding however that such sick leave entitlement shall in any case terminate upon the attainment by an employee of the age of sixty-five. It was further decided that the



order would have retroactive effect from April 1, 1973 and that employees who had been pensioned since that date before reaching age sixty-five be permitted to exhaust any sick leave to which they may be entitled up to sixty-five. These, of course, any sick leave applications have to be, entitlement have to be substantiated by a satisfactory medical certificate.

It was also the advice of the Pensions Committee that there had to be some clarification in the manner of calculating certain pensions and this is provided for in the act. This necessitated a similar amendment to the act that follows. I move second reading.

MR. SPEAKER (Dunphy): The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, again the minister just sort of is oversimplifying the situation, Sir. I would like for the minister to tell the Committee just how or if he, how many civil servants he thinks would be involved say in the run of a year in a kind of a situation where they would retire and still have accumulated sick leave due them? Would there be very many or, Mr. Speaker, do we have a situation in government like they have down in City Hall? What is the record of absentism, Sir, due to sick leave? You know, the minister can just brush this off all he wants but does the minister have any backup material with him? Could he get us the information? I know it is simple, it might sound simple to the lawyers, Sir, but there are more implications to this bill than meets the eye. You know, just what is the track record. Could the minister give us some background information?

MR. SPEAKER: The honourable minister now speaks, he will close the debate.

MR. HICKMAN: Number one, the question of absentism within the public service obviously is not relevant to this debate. This debate -

MR. NEARY: For sick leave.

MR. HICKMAN: For sick leave.

MR. NEARY: Yes.

MR. HICKMAN: But the - I am only hazarding a guess on this. I do not think that there will be any large number of civil servants covered under this, caught up within this category. It is a humane piece of legislation and one that is long overdue.

On motion second reading of a bill, "An Act Further To Amend The Public Service Pensions Act," read a second time, referred to the Committee of the House presently by leave.

On motion second reading of a bill, "An Act Further To Amend The Civil Service Act."

MR. HICKMAN: Mr. Speaker, what I said on the first act applies equally to the second. I move second reading.

On motion second reading of a bill, "An Act Further To Amend The Civil Service Act," read a second time, referred to a Committee of the Whole House presently by leave.

MR. HICKMAN: Order 20, Bill No. 24.

Motion second reading of a bill, "An Act Further To Amend The Agreement Ratified, Confirmed And Adopted By And Set Forth In The Schedule To The Leitch Gold Mines Limited (Agreement) Act, 1964, And To Make Certain Statutory Provisions Relating To That Agreement."

MR. BARRY: Mr. Speaker, if I could just refer to the explanatory note this bill would amend the agreement between the government and Leitch Gold Mines Limited. The successor to this agreement is the Newfoundland Zinc Company or the Daniel's Harbour Operations zinc mine has been started under this agreement. And the bill would amend the agreement to increase the area which may be selected by the company for development licence to be issued under the agreement from thirty square miles to eighty square miles.

Now the amendment also deals with the method of selection of the area or areas to be comprised in the development licence. It acquires the company to make certain expenditures for further exploration and development of the area comprised in a development licence, and it prescribes certain conditions under which development licence will be issued. The amendment also provides for the substitution under new legislation and general application affecting mining leases as soon as the new legislation is enacted of any mining leases issued respecting an area or areas over and above the thirty square miles referred to in Clause 9 (3) of the agreement, as Clause 9 (3) would be enacted by the bill.

In other words, Mr. Speaker, this additional fifty square miles that the company would be given the right to hold under development licences under their agreement. The company has agreed to have any new legislation of general application for the mining industry across the Province apply to these fifty square miles. We were not prepared to tie ourselves in to grant them this additional acreage under the old rules of the game, under either the terms of the agreement or the terms of existing mining tax laws, for example. So we have obtained the commitment of the company to agree that when new legislation of general application comes into effect it will apply to this additional acreage.

If I just could give some further details, Mr. Speaker, they might be of interest to the members. This agreement stems back to 1963 when the initial three year agreement was made with Leitch Gold Mines comprising an area of 1,473 square miles. The company was required to spend a minimum of \$100,000 on exploration of the areas during the three year period. The company in fact expended \$380,000, almost four times the amount it had to during the three year period, during which time it made a discovery of the deposit of zinc on one of the areas. The company reported at that time that the deposit contained approximately 5 million tons of ore. The company subsequently applied for and was granted a three year extension. So the original agreement would be up in 1966. They got a three year extension to 1969, with respect to a much smaller area, 427 square miles, where the zinc deposit had been located, and the company was required to spend an additional \$75,000 during the extended three year period, and that extension of course had to be ratified by act of the Legislature as it then was.

Shortly after the extension was ratified Leitch Gold Mines Limited assigned the agreement to Newfoundland Zinc Mines Limited. Both Leitch and Newfoundland Zinc considerably over spent the minimum amount required to be spent on exploration. And they requested another extension in 1969, another three year extension with the commitment to spend not less than an additional \$300,000 during this extended period. And government granted that additional extension.

During the second extended period Newfoundland Zinc Mines arranged for the participation of Cominco Limited in the continued exploration of the property and reported that during the first two years of this period an additional \$385,000 had been spent on exploring the area. So you can see that even though this was a case where an agreement had been extended there were considerable dollars being expended by the company, more in every case than they were required to under their agreement, much more in some cases.

They received an additional extension in 1972. And this agreement is now due to expire on July 10, 1975, this year. Now we

are not prepared to extend the agreement. They requested an additional extension as part of one of the proposals that they made. We are not prepared to extend the agreement. We believe that the land has been tied up long enough, and the company I think more or less agrees that they have had sufficient time to make their choice under the agreement of the final area that they are going to select under development licences where they will hold these then for five years and pay rentals.

AN HON. MEMBER: Inaudible.

MR. BARRY: Pardon?

MR. ROBERTS: How much does the company select -

MR. BARRY: They have have the right under their existing agreement to select thirty square miles.

MR. ROBERTS: Any thirty square miles?

MR. BARRY: Any thirty square miles, according to certain rules but -

MR. ROBERTS: Inaudible.

MR. BARRY: I think it was restricted as a 427 square miles.

Less than a tenth of the -

MR. ROBERTS: About a fourteenth.

MR. BARRY: About a fourteenth. Yes, out of the 472 square miles it is permitted to select thirty square miles. Altogether since the agreement was executed in 1963 the companies have expended on exploring the areas approximately \$1,500,000.

AN HON. MEMBER: Inaudible.

MR. BARRY: Pardon?

AN HON. MEMBER: Inaudible.

MR. BARRY: Leitch Gold Mines. I am not sure who the Leitch is. They will now be investing approximately \$18 million, and they are now in the process of doing it now, it is almost completed, to bring a mine into production. They have already been issued a development licence with respect to the mining operation itself, on a mining lease, cover the area where they are going to mine. But they have concentrated their activities in recent years upon delimiting and assessing the potential of several principle deposits

that it had uncovered, in order to determine if this mining operation was feasible and economic. And they have obviously concluded that it is because they have started a mine. And because they have concentrated on this one area or small area they have not been able to get adequate information, in their opinion, of the remaining attractive areas under their block. Because they have concentrated in getting this mine into operation as quickly as possible they say that they would like further time before they have to select their mining leases for the remaining parts of the area, they would like further time to do additional exploration. They say the company is aware of the potential for further discoveries of zinc outside of its current proposed mining areas, and has mapped out selective areas comprising in the aggregate 120 square miles. And this is what they wanted us to grant, 120 square miles, which it felt to be favourable for the location of zinc deposits similar to those already found. This total includes seventy-five square miles of known geology and forty-five square miles of overburden covered terrain where they assume that the favourable geology continues, but you do not really know because you got this large overburden on the top, and until you drill down you do not know whether the same geology continues.

MR. BARRY: They have the right to select thirty square miles out of four hundred and seventy-two square miles for development licences. These development licences are then for five year periods, The only requirement is that the company must pay an annual rental of fifty cents per acre per year, that is under their agreement. There is no requirement for them to spend any money on exploration during that period under their agreement and the size and the shape are at the discretion of the company.

MR. HICKMAN: \$15 or \$20 a year.

MR. BARRY: No. No. No, it is fifty cents an acre, there are 640 acres in a square mile so about \$12,000 I guess. Thirty square miles would be about 18,000, 19,000 acres so that you are talking fifty cents, close to \$10,000, not quite \$10,000 - \$9,000 or \$10,000.

Now they put forth a proposal whereby they would agree to certain amendments of their agreement if they could get an additional 90 square miles. Now we would not accept that. We said that that is - you are asking too much and we went back and forth to Cabinet a number of times, we rejected the initial proposals of the company, but we have now reached the stage where they are prepared to accept an additional fifty square miles, this is under development licence for five years, but they will agree to expend annually a certain amount of money under exploration even though under their agreement they are not required to do this. They have agreed to expend annually a certain amount on exploration, if I could find it here now.

In the first year - \$2,000 a square mile, in the second year - \$2,000 a square mile, in the third year - \$3,000 a square miles, in the fourth year - \$4,000 a square mile and in the fifth year - \$5,000 a square mile. They would also pay rental at the rate of fifty cents an acre and they would hold the licences for a five year period.

There are a number of other conditions. Unless the honourable members want me to go into them I will not go into them at this stage. But basically we believe that it is in the interest of the Province to ensure the long life of the Daniel's Harbour zinc mine. At the present time they have reserves of some ten years approximately, but very good potential for additional

reserves, so we have to do a balancing act. We have to, while on the one hand doing what we can to ensure that the life of the mine is extended, on the other hand we have to avoid having large areas tied up by one company for long periods of time and closed to other competitors.

Now we think that we have struck an appropriate balance here. It is not easy and I will be interested in hearing the comments of the honourable members of the House, but we have tried to strike this balance and we think we have struck it, where there will be altogether some 390 square miles approximately relinquished by the company of the area that they now hold in the agreement. This area will be made available in course of time to other groups or individuals who may be interested in exploring in the area. There is a lot of interest.

There will be some forty square miles made available that Newfoundland Zinc would like very much to have because this was part of the original 120 square miles that they -

AN HON. MEMBER: Inaudible.

MR. BARRY: Oh, Newfoundland Zinc is a Corporation, a Newfoundland corporation -

MR. ROBERTS: It is owned by the Tech Company.

MR. BARRY: It is owned partly by Tech Corporation and partly by Annex, which is an American Corporation. But Tech has the controlling interest. We think we have reached the proper balance here in that there will be significant areas made available to competitors, to other people who want to get involved in the area, but at the same time we are - and we do not have to do this, it is up to this Legislature, Cabinet has decided that it should present this bill and we are prepared to recommend that this bill go through to give the company the additional square miles to enhance the probability of their making further discoveries of zinc to expand the life of the Daniel's Harbour Mine



and as I say it is not an easy decision to make but it is one, I think, that in view of the fact that the company has an active operation about to commence and the last word I heard on that - the honourable member might have more recent word, I have not been checking on it in recent weeks - but the last work that I had was that they expected to get underway in June. There is a bit of a delay because of equipment problems. But because this company has shown that it is prepared to spend significant dollars on exploration, prepared to spend some \$18 million on putting a mine into production and the terms of this bill would require it to spend some \$130,000 a year for the first two years and \$180,000, then \$230,000 and the fifth year \$280,000, and because the company has indicated to us, although they are not bound by the agreement to do this, they have indicated that they are prepared to spend approximately \$400,000 in this calendar year on exploration to define the potential areas to be selected before their agreement expires July 10. They want to decide what thirty square miles they are going to take under their existing agreement because obviously this is more attractive to them. They are going to spend a considerable number of dollars. I recommend to this honourable House, Mr. Speaker, that we accept the principle of this bill.

MR. SPEAKER: (Mr. Dunphy): The Hon. Member for White Bay North.

MR. ROBERTS: I thank Your Honour. Well he is not confused this morning. Mr. Speaker - was Your Honour about to say something? Oh Your Honour is about to leave. It is the changing of the guard. Mr. Speaker, let me - it means they have to bring the heavyweights in to deal with this. Mr. Speaker, let me begin by saying that my colleagues and I -

MR. DUNPHY: On a point of order, Mr. Speaker.

MR. ROBERTS: A point of order. Oh my!

MR. SPEAKER: Order, please!

MR. DUNPHY: I am wondering whether it is customary for a member who is speaking in his seat to make snide remarks when the Assistant Deputy Speaker is leaving the Chair? Is it necessary?

AN HON. MEMBER: Changing of the guard -

MR. DUNPHY: And I would ask Your Honour to afford some protection to the Speaker as he is leaving the Chair. As usual the honourable member - and I use the term loosely - for White Bay North is displaying his usual amount of ignorance.

MR. ROBERTS: To that point of order, Mr. Speaker. Let me first of all say that I made no snide remarks. I said that the gentleman who was in the Chair

was not confused. I regret having said that because as he has just made quite obvious he is confused again this morning. After the honourable gentleman having threatened me outside the House I do not need to make snide remarks about him, Sir, his conduct speaks for itself.

Furthermore to the point of order, Mr. Speaker. It is surely in order to note the fact that the occupant of the Chair is changing and I used the phrase, as I recall it, that we are having a changing of the guard, and it is. I could have said, you know, They are changing the guard at Buckingham Palace/ Christopher Robin went down with Alice, but I did not. I merely said that we are having a changing of the guard. And I submit that is in order, Sir. And I submit there was nothing snide, improper, unparliamentary, irregular or in any way out of order in what I said. I said what I said because I wanted to note that a heavyweight, and I use that term in the usually adopted sense, that a heavyweight was entering the Chair and that, too, Sir, is a matter of fair comment which shows no disrespect for the Chair or any of its occupants.

MR. SPEAKER: Order, please!

As the present Speaker was about to take the Chair I understand that the honourable the Leader of the Opposition rose to speak to a bill that was being debated in this House. The Chair certainly sees no reason whatsoever for any member commenting on the fact that the Chair is being relieved by one person or the other. It is certainly not relevant to any bill.

MR. ROBERTS: Mr. Speaker, I accept your -

MR. SPEAKER: Order, please!

MR. DUNPHY: To that point of order, please, Mr. Speaker.

MR. ROBERTS: Oh, I am sorry. I am sorry.

AN HON. MEMBER: Sit down!

MR. DUNPHY: What the honourable member was - with the reference he made when I was leaving the Chair was one that insinuating that the Chair was in the state of confusion. And I would like to let the honourable member know that the Chairman was not in the state of confusion. And I will ask him to withdraw that particular remark he made.

MR. ROBERTS: Mr. Speaker, to that point of order. I very clearly said that the Chair was not confused. And I feel that that is quite in order. The honourable gentleman may have been confused in the past, he may be confused in the present, he may be confused in the future. But Sir, I very clearly said that the Chair was not confused. And I think if anything that is a compliment. And the honourable Member for St. George's would do well to regard it as a compliment. Because in my eyes, in respect of him, Sir, that is a compliment when I say that he is not confused. If Your Honour wishes me to withdraw it, if Your Honour rules that I should, then, of course, I shall. But I have no intention, Sir, of being bullied inside of the House or outside by the gentleman for St. George's.

AN HON. MEMBER: Hear! Hear!

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please! Order, please! The previous Chair may not have been confused but the present one is becoming confused.

AN HON. MEMBER: Hear! Hear!

MR. SPEAKER: Comments exchanged back and forth at the present moment the Chair feels that perhaps there is a difference of opinion as to what was said by honourable members.

AN HON. MEMBER: Hear! Hear!

MR. ROBERTS: Thank you, Mr. Speaker. And now unless the gentleman for St. George's wishes to try again -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: No, Sir. Well then may I carry on with a speech -

MR. NEARY: He brought disgrace on himself.

MR. SPEAKER: Order, please!

MR. ROBERTS: - a few remarks with reference to Bill No. 24, Sir, the honourable gentleman for St. George's is about to launch himself across the Chamber.

MR. SPEAKER: Order, please!

MR. ROBERTS: Bill No. 24, Sir, which is "An Act Further To Amend The Agreement Ratified, Confirmed And Adopted By And Set Forth In the Schedule To The Leitch Gold Mines Limited (Agreement) Act, 1964, And To Make Certain Statutory Provisions Relating To That Agreement."

Now, Sir, as I was saying before the gentleman for St. George's raised two points of order in an attempt to try to discomfort me - let me begin by saying that my colleagues and I, swayed by the eloquent and reasoned approach of the Minister of Mines and Energy, are quite prepared to vote for the principle of this bill, Sir. And indeed I think I could go so far as to say that when the bill is called for study at Committee stage that we do not propose to move any amendments to it. It seems a fairly straightforward piece of legislation, and, you know, insofar as it goes, it is quite acceptable.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: I thought the minister did an admirable job of reading the exploratory notes - I am sorry - the explanatory notes - I followed him and he got them word for word correct. And I think he did an equally excellent job of reading the preamble, the whereas clauses, that prefaced the operative part of the bill, and again I congratulate him. I think he listed all of the agreements and the amendments to the agreement which have been made in respect of this area of land which Leitch Gold Mines is to have by terms of this Act, assuming it is passed.

Now, Sir, I would like to make one or two comments, first of all with respect to the Daniel's Harbour Mine, the zinc mine at Daniel's Harbour which has been constructed or is being - does one construct a mine? Developed, I guess, is the better word - which is being developed on land originally leased under the provisions of the main Act, the principle agreement, leased by the government to the Leitch firm

and in turn they have assigned this to the Newfoundland Zinc Mines Limited firm who proceeded to develop the mine.

Now, Sir, I would not want the minister to think, nor do I believe that he thinks that we should be carried away in a generosity towards this company. The Zinc Mines Company as, you know, far as I know, is a fair enough company. They have done some funny things in giving out road haulage contracts to people who are not in the business, and who never have been in the business, but that has nothing to do with the minister or with the government. But you know there is a lot of talk all over the Northern Peninsula about the very curious circumstances surrounding that. The minister shrugs. I mean now he is not involved and I am not involved, nor is he ministerially responsible. I mean this is a company that has chosen to do their business, and they have done their business. That is fine enough. But the minister - and I do not think he meant to, the minister gave the impression or his words were open to the interpretation that somehow this company was, you know, performing an act of civic minded responsibility.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Well I just want to make the point, and the minister I have no doubt will agree with it, that this company like any other mining company or for that matter any other business, but we are talking about mining companies, is not doing

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Newfoundland any favour by coming here. They may well bring benefit to Newfoundland and it is the job of the government and of the House to make sure that these companies do result in a benefit remaining in Newfoundland both in the public sense for the taxes and the other monies they pay to the Crown, but also the far wider sense of the employment and the community amenities they provide. The zinc mine, if they have spent \$18 million there, Sir, every cent of that will be written off legitimately and properly against their revenue, their income and so that we the taxpayers either federally or provincially will pay that entire cost. In addition, they will, of course, be allowed a capital cost allowance or a depletion allowance in the case of mineral venture, so they will be allowed to shelter their profits there and then, of course, the price of zinc is obviously very good and that is why the whole thing is going ahead.

I do not say this in any argumentative form. I just want to put it on the record and I think the minister would agree with me that any one of these mineral companies or mining companies that comes to Newfoundland, or to Nova Scotia or to anywhere, is coming only for the profit motive. We have to be very careful, Sir, very careful. These companies come in and they, in our anxiety to develop our resources and in our anxiety to get jobs going we have to be super careful that the companies do not come in and just extract what they want at the least possible return to Newfoundland and get out. It is in their interest to do that. There is nothing illegal or improper or even immoral, well maybe something immoral but that is a philosophical point, but there is certainly nothing illegal or improper in a company getting everything it can and giving as little as it must in return. Now, that is a general comment but it grew out of the minister's observations.

The zinc mine company are doing a good job. People on the Northern Peninsula, as I understand it, are pleased at the prospect of work and there are going to a number of houses built in the Hawkes Bay area and there is going to be all the benefits that will accrue from money

in circulation. The Province is doing its share. I do not have the figure, perhaps the minister could indicate it, but my understanding is that the Province is providing the road from the main highway, the five or six or seven miles into the mine site. The company normally would have to bear that cost but my understanding is the Province are bearing it. The Province insisted upon it. I understand that they call it a forest access road and it may well lead to some forest resources as well. I understand also that it is being paid for - I am sorry, it is not being called a forest access road. Is that -

MR. BARRY: The Federal Government is involved as well.

MR. ROBERTS: Yes. Well, I was going to come to the DREE involvement.

MR. BARRY: - clearly aware -

MR. ROBERTS: Well, there is no doubt it is a mine road. I mean, no, I am not suggesting any false pretenses. The gentleman from Burgeo tells about the roads to resources. That is right, Mr. Diefenbaker when he was Prime Minister did have a programme called Roads to Resources. It ended in about 1963 but there were a number of roads built in Newfoundland under that programme. Much of the original work on the road to the Isles was done under that programme. Then that was succeeded by an A.D.B. programme. There were three or four separate A.D.B. trunk roads programmes under which a lot of work was done in Newfoundland. Then, we are now into the era of DREE. There have been what? - three DREE agreements and the fourth coming up any day now. I suppose, Mr. Speaker, adding those and adding in the Trans-Canada, maybe two-thirds of the money spent on roads in Newfoundland the last fifteen years has come out of Ottawa. It may be that high. Ninety per cent of most of the Trans-Canada, the trunk roads programmes, the roads to resources. Mr. Diefenbaker did two good things for Newfoundland. He did the roads to resources, which was not aimed at Newfoundland but which we benefited from. He also did the vocational schools, the original vocational schools programme. The gentleman from Burgeo is well up and is quite right.

I will not, because it is early in the morning, I will not go

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into what Mr. Diefenbaker did that was not good for Newfoundland but any time we would like to have that discussion, and if it is in order, Your Honour, I should be delighted to have it.

AN HONOURABLE MEMBER: - give you some information -

MR. ROBERTS: Yes, the honourable gentleman might well give me some information, Sir. The odds are that some day he will if he keeps trying. Now, Sir, the -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: The point I was making, Sir, is with respect to this road. The Province has negotiated or is negotiating an arrangement with Ottawa to build the road in. It is being done openly and no question of that here. The point I wish to make is that the Province has been very generous with this company because if that money were not being put on that road it could be



but elsewhere on another road project in the Province, perhaps on the Northern Peninsula Road, perhaps on the LaScie road, perhaps on any road that qualifies under the DREE agreements. There is only a finite amount of money available, Sir, from DREE each year. If the government of the Province choose to spend the money, and DREE agree, in one place then it cannot be spent in another. I think it should merely be noted that the government of the Province have chosen to spend - six miles, \$1 million, \$1.5 million. I am sorry?

MR. MORGAN: (Inaudible.) How would that help Burgeo?

MR. ROBERTS: No. The gentleman from Bonavista South has blundered once again. What I am saying would help Burgeo because if the million or a million and a half dollars had not been spent for the sole benefit of a mining company that is coming in to make a lot of money, it could have been spent on the -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Who is it for the benefit of?

MR. BARRY: For the workers who are going to be employed by the mine.

MR. ROBERTS: Sure, and they are -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: You know, Mr. Speaker, the Minister of Mines is going to have to twist a lot further than that. The road from Burgeo would have gotten the benefit. Of course the miners will get the work. Of course they will. Sure they will. But nobody is going to pretend that the mining company is coming for the benefit of the workers. Nobody is going to pretend that the road is being built for the benefit of the workers. The road is being built for the benefit of Newfoundland Zinc Mines Limited. In order for them to extract this mineral they will have to get men to do it. They will have to pay them. They will pay them not one nickle more than they have to. They will pay them everything they are required to by law or by contract with a union local. But let nobody pretend Newfoundland Zinc or any other company is hardly in the business of charity. Indeed, Sir, I hope that when the new mining tax legislation comes before this House, it will adopt the principle

which the Royal Commission - Mr. Goundrey and Mr. Martin and Mr. Noonan, no, not Mr. Noonan, Mr. Maher, Gary Noonan's father from Buchans - advocated and put forward in their report, Sir, that is that we should charge not a percentage of profits but rather a rent. It is a cost of doing business.

If Your Honour chooses in Your Honour's retirement, whenever that may come, to open a bull's-eye shop in downtown Lewisporte as a means of augmenting Your Honour's income, then Your Honour will probably either - well, Your Honour will have to build the building or rent one. The rent will not be dependent upon such profits as Your Honour might make from retailing bull's-eyes, but rather it will be a fixed cost of doing business. Well, these mining companies come into our Province and they take a resource and to add to it it is an non-renewable resource. Once it is gone, it is gone. They do not pay a fixed rent. They pay a percentage of profits, and profits, Your Honour, no matter how closely they are defined in legislation, profits are a movable feast, Sir. Before there are any profits out of an operation like Zinc Mine or before there are any profits out of the Labrador mines - the reason why the profits from there have been so low is that of course they have very large capital cost write-offs, very large investments to recover.

So, I would hope and I assume this is what the administration will do - if they do not, they will be criticized. If they do, they will be supported - that we should adopt that principle in dealing with mineral companies, say that, if you want our mineral, you must pay so many cents a ton or so many dollars a ton, whatever the amount is. It depends on the mineral. And you will pay it whether you make any money or not the same as you will pay your wages whether you make money or not and you will pay your equipment whether you make money or not. It is a cost of doing business. The concept of a percentage of the profit, I do not know where it came from. It has been in force I guess all over Canada for a long time. Certainly it has never been challenged in this Province until the Royal Commission came in with it. I think it is a good principle. The Royal Commission principle is a good

one and it should be adopted. I would like to see it adopted in respect of Newfoundland Zinc and everybody else.

Now, Sir, I could go on on that but I guess that is perhaps a little far from the principle of the bill. But there will be an opportunity I hope to debate it at some length. I think it is a very important point and one well worth debating.

Now, let me make one or two others, first of all a question or two, Sir. I would like the

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minister if he would to indicate whether any of the area involved here comes across to the eastern side of the Great Northern Peninsula. The airport at St. Anthony has become a very busy spot of late. One day a week or so ago they had forty aircraft movements at St. Anthony. That is more than Gander or St. John's has, the busiest airport in the Province that day. Now many of the aircraft movements were helicopters chartered by Cominco that were going in and out, you know, on the claims behind Main Brook. Now I do not have a map. There is no map here in the legislation. The minister did not bring one to the House with him. There is not even a description here, I presume there are meets and bounds descriptions in the previous legislation but where is this area and is it the area that I call behind Main Brook, it is also referred to as behind Hare Bay? I suppose the older people would call it Belvy Bay, but it is being explored intensively at present. Zinc I am told is what they are after. Is it the same project as the Newfoundland Zinc Mines, you know, could we have a little information on it? I do not know how much the minister knows, but he knows more than I do. What I know I have picked up by talking to my friends in the St. Anthony area. People there are obviously very interested in it because, of course, Mr. Speaker. if a mine were to go ahead it would provide a considerable amount of work and that is something that is needed.

I wonder if the minister could also tell us how much the Province is investing in the Newfoundland Zinc project under all heads? The roads, are we doing any extra work on municipal infrastructure, water and sewer perhaps. DREE put a water system into Hawkes Bay a couple of years ago. It had some trouble. I think it is now working. What are our costs? One of the things we often overlooked when we consider the Labrador mines is that companies by and large in Labrador West provided all of the capital facilities. I think the hospital was paid for in large part by the Province. I think paving the road between the two towns was paid for by the Province. The public building was paid for by the Province. Other than that I suspect that almost everything in Labrador West was

provided by the companies, again not out of the bottom of their hearts or the generosity of their souls, but because they felt they had to do it to attract and to retain a work force and because they could write the cost of it off against their income and against their profits, reduce their taxable profits, not reduce their income, reduce their taxable profits, their income as defined for the purposes of the Corporation Tax Act.

Finally, Sir, an important point which will not take me long to make but it may well touch off some debate, and I think it is an important point, the mine referred to in this legislation, the mine at Daniel's Harbour is the only new mine to have opened in Newfoundland since 1970 or 1971. The minister may have precise information, I do not. My knowledge is not all that good. But there has been no new mine opened since 1972, with the exception of the reopened mine at Springdale and that has turned into a financial disaster for the Province and I fear for the promoters as well and unfortunately has not even provided a great deal of work.

We have seen mines closed. We saw the BRINNEX mine, the Whalesback mine close. We have seen approximately a third to forty per cent of the Rambler Mine close. What other mines, there were some other mines closed.

AN HON. MEMBER: Gull Bridge Mine.

MR. ROBERTS: Gull Bridge, did somebody say Gull Bridge -

AN HON. MEMBER: Gull Bridge closed before.

MR. ROBERTS: Yes, Gull Bridge closed I think while we were in office.

AN HON. MEMBER: 1971.

MR. ROBERTS: Yes. But there have been all these mines close and there have been no new mines opened with the exception of the Daniel's Harbour operation and Springdale reopening. When I say Springdale, Whalesback, the Whalesback Mine reopening and it is now closed again and apparently, you know, on the shelf until and unless the market comes up. Well economics can be cruel masters and they can be ignored at one's peril.

Now, Sir, I think that is a significant fact. The minister is fond of telling us, in his releases, how much has been spent on exploration. I do

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not know if the minister can claim much credit for the money being spent on exploration. He may try to but the fact remains that in the three years this administration have been in office, Sir, we have had only one mine open and it is this mine at Daniel's Harbour. As far as I know there are no mines about to open. The closest we are is the Makkovik uranium deposits, Monkey Hill, Seal Lake, not Seal Lake, Monkey Hill, what is the other one in behind Makkovik, I was there the other day, Kit's Pond and in Seal Lake there is a copper deposit somewhat inland, fifty or sixty miles inland behind Makkovik on the southern part of the coast of Northern Labrador.

We have not seen any expansions go ahead at Labrador West except those which were underway when this administration assumed responsibility for office. We have not seen anything develop in the oil and gas except some exploration intensified.

MR. BARRY: And one or two discoveries.

MR. ROBERTS: Well the minister is right to remind me of that.

The minister though cannot claim credit for it. What I am saying, Sir, is that for all of the talk we have had about mineral policy and all of the noise there has been and all of the fine pious speeches that have been made, other than the Daniel's Harbour mine there has not been a new mining venture open in this Province certainly since this administration took office. This mine, Sir, let it be noted, was developed under a concession given by the Smallwood Administration in 1963. Indeed nobody in this House at this moment, except possibly the gentleman from Fogo, even voted for that legislation which became before the House in 1964. This is a result of the Smallwood Administration policy which for right or wrong, be they right or wrong, this was the result of the Smallwood Administration policy in getting the Leitch Gold Mine firm involved and then on top of that the fact that the zinc mine or the zinc market, whatever the word is, happens to be right now a very good one, The numbers worked.

MR. BARRY: It is not all that good.

MR. ROBERTS: Well, the minister tells me it is not all that good.

I have not checked the zinc futures or the zinc, whatever they are, the zinc prices. The point is that there is nothing done by this government which has enabled this mine to come into production.

MR. BARRY: It came in under an act of the House in 1975 - I am sorry, 1972 -

MR. ROBERTS: This mine grew out of a concession -

MR. BARRY: Grew out of a concession?

MR. ROBERTS: - grew out of a concession, came from a concession just as the honourable gentleman opposite grew, as we all grew, from certain concessions or advances made in this case, Sir, by the Smallwood Administration.

MR. H. YOUNG: (Inaudible).

MR. ROBERTS: The honourable gentleman from Harbour Grace has once again entered the debate. He is getting closer to the seat of power, Sir. He is getting closer all the time and the Province, Sir, is waiting in apprehension as the honourable gentleman from Harbour Grace comes closer. His legislation comes before the House -

MR. SPEAKER: Order, please!

The Hon. Leader of the Opposition is not being relevant to the principle of the bill.

MR. ROBERTS: I would agree, Sir, and I am grateful. I think it is a splendid ruling, Sir, that the gentleman from Harbour Grace is not relevant to the principle of this bill, and I could add, for any other bill.

MR. YOUNG: (Inaudible).

MR. SPEAKER: Order, please!

(Extraneous noise).

MR. ROBERTS: Mr. Speaker, is that the gentleman from St. George's stumbling about in the hall?

AN HON. MEMBER: It sure is.

MR. ROBERTS: Okay.

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: Order, please!

MR. ROBERTS: No, Mr. Speaker, if I may continue without harassment from honourable gentlemen opposite. I have just about finished my few remarks on this bill and the minister can have a go at it. There is a good argument to be made in favour of ending the system which was followed for, not for twenty-three years, for fifty-three years or seventy-three years in this Province and that is the system which was followed with respect to the granting of concessions. It was not something which Mr. Smallwood, as Premier, adopted. The administration which he headed carried out the system, adhered to it. He did not change it. Maybe it should have, maybe it should have not. It did not change it for better or for worse. But, Sir, that system, I do not know when it was first introduced, it may go back as far as, say, Charles Fox Bennett, who had concessions for the original mines at Tilt Cove on the Baie Verte Peninsula. All of the mining ventures down through this Province over the years, and there have been very



many of them, many of them have been abandoned. like the copper mine at Goose Bay, south of St. Anthony, the marble quarry in Canada Bay. There are little mining ventures all over Green Bay. Pilley's Island still has or the last time I was there two or three years ago still had rusting tracks and equipment, and there was a ship driven ashore in Bumble Bee Bight that had come in connection with a mining venture. There have been mining ventures all over this Province.

AN HON. MEMBER: About the only Liberal stronghold is Bumble Bee Bight.

MR. ROBERTS: Bumble Bee Bight.

I would think the honourable gentleman, Sir, - we will test the Liberal strongholds whenever he is ready, Sir.

AN HON. MEMBER: I am ready.

MR. ROBERTS: We will test, and we will abide by the results, and I warn the honourable gentleman, Sir, that the Ombudsman's post reserved for former Tory politicians is filled for the time being so he cannot even hope for that.

Mr. Speaker, the system of concessions was in effect for a very long time. The Labrador mines,

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the two mines in Labrador West, the Iron Ore Company operation and the Wabush Company operation. both grew from concessions granted to Labrador Mining and Exploration Company by the Commission of Government in the thirties. I forget the exact date. The minister would probably know. 1937, was it? 1937, the Commission of Government - the Buchans Mine came from originally the concessions granted in 1904 to Lord Northcliffe and the Northcliffe enterprises and they in turn set up a company called, I think, Terra Nova Properties. In turn, in the early twenties they entered into a deal with ASARCO. Well, I will not say it about ASARCO. They are not my favourite company. Their record has been bad over the years. But the mine grew out of that.

The point I am making is that there may be a great deal to be said for ending that system. I for one am openminded on it and I very much look forward to a discussion or a debate when the time comes to hear the minister's point of view and to hear what other honourable gentlemen have to say with respect to ending that system of concessions and going into what I understand is the alternate system of sort of throwing the entire Province open. Any man with his little pick may go off and chip away and if he finds what he thinks is interesting he may rush off to the claims office and stake a claim, in effect. I gather one literally drives stakes to stake a claim.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Well, fine, But I mean I am quite open on the argument and I am certainly willing to be guided by the facts in it. I do not know enough one way or the other. The question was often argued in the Smallwood administration years but the policy remained as it had been I suppose forever. I do not know if we ever had a claim staking system in Newfoundland. We may have had some areas that were opened by and large the way in which the mining industry in Newfoundland has been developed right from the start was by giving companies large or larger concessions and saying to them, prospect around, sort of an exclusive hunting license, when you find something you want come in and we will sort of translate your hunting license into a killing license.

MR. BARRY: Unfortunately it was probably unnecessary.

MR. ROBERTS: Well, the honourable gentleman says it may have been unnecessary. That can never be proved one way or the other. You cannot prove a negative. There is no way that we will know whether it was the right policy or the wrong policy. We can judge what came of it and we can see where there were certainly some mistakes made in applying the policy. Some of the companies I suspect were not among the great mining companies of the world but I have often heard it said, and I have never heard it countered, that efforts were made many times to attract some of the larger mining companies. Sometimes they would come. Other times they would not. Often the companies that would come to Newfoundland, you know, came for purely speculative purposes. I do not know again the merits of that argument but I have heard the argument advanced.

The point I am making, Sir, I realize at some length but not undue length, the point I am making is quite a simple one, that whether or not we should carry on with this system is a matter for discussion and debate. The government, I think, have adopted a policy, I have not seen it clearly spelled out, but the minister has made a number of speeches which seem to indicate the policy is to end the concession system. Well, so be it. I have no argument with that.

MR. BARRY: It is a good, - policy.

MR. ROBERTS: Well, all right. I was going - the minister again is, I think he and I are sort of ad idem on the point. It is not a matter that we may get controversial over the past or the future but I do not think we are going to get controversial over this one point. There obviously need to be some qualifications put on because there have been cases where the policy has worked exceptionally well. Now, I am not so sure that Labrador would have been explored at all if it had not been for the concessions given to Labrador Mining and Exploration. The twist there was the sheddy policy and it is a matter of record that the Wabush Mines developed on land which the Labrador Mining and Exploration Company shed, returned to the Crown. They knew there

was some mineral there. I do not know how much they knew but they certainly knew there was some mineral but they decided to give it back to the Crown and eventually Mr. Doyle, Mr. John Doyle got his hands on it and through the chain of events - I am sorry?

AN HONOURABLE MEMBER: Mr. Doyle, Javelin -

MR. ROBERTS: Yes, Mr. Doyle. It was Canadian Javelin I think had the concessions, Mr. John Doyle, the same Mr. Doyle got his hands on it and there came out of it the Wabush Mine. Whatever the honourable gentleman may think of Mr. Doyle or whatever Mr. Doyle may think of the honourable gentleman, the fact remains that the Wabush Mine is there and has proven to be a reasonably good operation insofar as these operations go.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: I have no idea what - the honourable gentleman obviously pays more attention to the stock market than do I. He may have greater interests in the stock market than do I or he may have greater interests in Mr. Doyle than do I. But the last I heard was that there had been some raids on, I will not mention the firm, but a stock firm here in town and books have been confiscated and the Mountie Fraud Squad are at it again and if they find some criminal activity I hope they will prosecute and so they should.

MR. ROBERTS: Good. Equally at some point the Crown is going to have to take Mr. Doyle and say, you know, stand his trial on the charges that have been made against him. It is not fair to keep the man, you know, a year and a half he has been under indictment without the Crown going ahead. I do not know the merits of it. It is not the place to argue it. But the honourable gentleman is concerned about Mr. Doyle, I am not.

The point I was making, Sir, if I may try to conclude it, is that whatever the merits for ending the concession system, and whatever may be said but cannot be proven about whether it was the right system or not, the fact remains that it has worked, whether it has worked perfectly is a matter for discussion and debate, but it has worked. The fact remains that this mine, the Daniel's Harbour Mine grew out of the concession to the Leitch Company assigned to Newfoundland Zinc, the concession affected by the bill now before us. The fact further remains for whatever reason there have been no new mines developed in Newfoundland other than the Daniel's Harbour Mine since 1972. Those are facts. What they mean can be argued about. What they prove can be argued about. But they are facts.

MR. BARRY: The poor policy in the last five years.

MR. ROBERTS: Well the honourable gentleman says, the poor policy of the last five years.

AN HON. MEMBER: Inaudible.

MR. ROBERTS: I would point out, Sir, that his administration's three years in office they have proven nothing or shown nothing that will show where we are going to get any great new mineral development. The one mine that has come in -

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. ROBERTS: The one mine that came into being not because of anything this administration did in the policy or in the programme sense, but because (a) the concession holders had proven some reserves, and (b) the numbers, the magic world of economics had done it.

Now the administration can say what they want and claim what they want but they cannot deny the facts. And those are the facts. And the Minister of Mines and Energy, who will no doubt speak to close this debate, after any other honourable member who wishes to have his say has had it, the Minister of Mines and Energy will, you know, do his best, and do he should, he will use his schoolboy debating tactics again, and he can say what he wants subject to the rules. But he cannot challenge the facts. He can talk about the last three or four year if he wants, he can talk about the last thirty or forty years if he wants. Let him talk about what he wishes.

MR. BARRY: I say one mine a year, or one mine a year ....

MR. ROBERTS: The honourable gentleman has yet to develop a mine. He presided at the opening of a mine.

MR. BARRY: Inaudible.

MR. ROBERTS: The honourable gentleman presided at the opening of a mine, Sir. Once again the Premier was absent. He failed to live up to his commitment to go to a function, so the honourable gentleman went and we saw some lovely pictures of him rolling an ore cart or being rolled in an ore cart or doing something with an ore cart - a lovely photographs of them. We have not seen any photographs yet of the minister being present at the closing of the mine, because, of course, the mine which the minister opened closed very quickly. Very quickly. And I do not know whether the Province has lost any money on it, but we had a lot of money at stake on it, and so did the promoters. And I suspect, so they should, they should have lost their money first because that is the rule equity goes in first and comes out last. I have no doubt that the Province can better afford to lose money than can these promoters. These gentlemen - I believe some of them were from Springdale, John Drover and a number of others. Fine citizens. You know, trying to do something to benefit themselves, but also to benefit the community. But I would point out that the minister's policy, you know, I have no quarrel with the gentleman in the Springdale. What they are doing is proper. And I am as sorry as anybody else that they had not been able, you know,

make a go of it. And I hope the copper price comes up, and they can make a go of it again. The copper is there, you know, in the known quantities and all of that, and you know the cost of getting it out. The fact remains, Sir, that the minister's total tenure of office has seen him open one mine, which closed, and have seen a number of other mines close. Now the facts speak for themselves.

MR. BARRY: Inaudible.

MR. ROBERTS: The Honourable gentleman has not opened the Daniel's Harbour Mine yet, He will be opening it, I have no doubt, in due course. And equally I hope it does not close. I do not expect it will -

AN HON. MEMBER: Inaudible.

MR. ROBERTS: I am sorry?

MR. BARRY: Would that be a fair contribution this year?

MR. ROBERTS: I would think if the honourable gentleman really had anything to do with it, but the man who apparently got it started was the late Bill Keough who has been dead for four or five years, and represented the government in the original agreement out of which this grew. And the minister

can also claim credit, I suppose, for the price of zinc being whatever it is. The minister can also claim credit for whatever else he wants. But, the minister cannot tell us and have us believe it, that the reason the Daniels Harbour mine is opening is because he did it. I mean, that is just too much. That is just too much, Sir, for even the honourable gentleman, the Minister of Mines and Energy, to pretend. He has to make some amazing claims in his effort to try to be a pocket edition of the gentleman from St. John's West. But, even the gentleman from St. John's West would not go that far even with his jittles and tots or whatever it is he is doing in Japan.

Well, Sir, I, in my rambling way, have made the points that I wish to make.

MR. YOUNG: Inaudible.

MR. ROBERTS: The honourable gentleman from Harbour Grace, Sir, is at it -

AN HONOURABLE MEMBER: Order.

MR. ROBERTS: Yes, the House Leader says order. Let him order his own members. The usual order for the gentleman from Harbour Grace is a large double, I am told.

Now, Sir, to come back. I had largely finished what I wanted to say with respect to this. I think the minister should start. We will carry on until one o'clock and I gather we will be back after one. I would like to hear the minister answer a couple of questions I asked at the start. You know, what is in it for Main Brook and for the Eastern side of the Northern Peninsula or the more Northerly parts of the Northern Peninsula on the Western side? What is the Province's investment including the DREE money which is ninety-ten? What will the Province be getting out of it? Then if he wants to go on, as I suspect he will and I hope he does, into a little chat about mining policies generally, then I for one will be most interested to hear what he has to say.

As I said at the outset, we will support the bill, Sir. It is an unimportant piece of legislation in one sense but very important in another. It is certainly not a controversial piece of legislation and we are quite willing to go along with it and let us see what comes



out of it. Let us hope we get some further mines being developed in that part of the Province.

MR. SPEAKER: The honourable Minister of Municipal Affairs and Housing.

HON. B. PECKFORD (MINISTER OF MUNICIPAL AFFAIRS AND HOUSING): Mr.

Speaker, seeing it is almost -

MR. ROBERTS: Mr. Speaker, to a point of order. I do not want to interrupt the honourable gentleman. But the House Leader seems to be having some agony and I wonder if we should send for a medical doctor or something for him.

MR. HICKMAN: I am not in any agony I just -

MR. SPEAKER: Order, please!

MR. ROBERTS: Well, I cannot -

MR. SPEAKER: Order, please! Order, please!

The honourable Leader of the Opposition certainly does not have a point of order.

MR. PECKFORD: Mr. Speaker, seeing it is almost one, could I adjourn until this afternoon.

MR. SPEAKER: I will call it one of the clock and leave the Chair until this afternoon at three of the clock.

The House resumed at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please! Before I recognize the Hon. Minister of Municipal Affairs and Housing, who adjourned the debate before lunch, I would like to announce that we have three questions for the so-called late show this afternoon. And they shall be in this order; the first one, the Hon. Member for Bell Island on the question he asked the Hon. Minister of Mines and Energy with regards to the strike of the liquor store people. The second one, one of yesterday, I believe, of the Hon. Leader of the Opposition to the Hon. Minister of Transportation and Communications about the water bombers. And thirdly, another question asked by the Hon. Member for Bell Island again to the Minister of Mines and Energy concerning what the member calls the provincialization of the Newfoundland Light and Power. So I recognize the Hon. Minister of Municipal Affairs and Housing.

MR. A.B. PECKFORD: Mr. Speaker, I will not delay the matters very long. I just wanted to say a few words on Bill 74 to amend the agreement between Leitch Gold Mines Limited and the government. And it is on the principle of the bill that I wish to address myself simply to say that being somewhat familiar over the last three or four years with the mining industry as it relates specifically to the area which I represent we have seen over the last two years a tremendous increase in the amount of exploration that has been done in the Province due to a large extent, perhaps not totally, but to a large extent to the new policy relating to claim staking and so on. And to just suggest, Mr. Speaker, that although the Leader of the Opposition pointed out that the concession system might have had some merit at some point in time in the past to allow some developments in Labrador, I think most people today recognize the fact that if we are to get the optimum amount of exploration from the various companies that wish to do exploration in the Province, and companies already here, that it is extremely vital that large tracts of land which have for so many years been tied up in a concession system whereby little work was done on them, if we are to increase now our mineral activity I think it is

essential that this kind of a policy be proceeded with quickly.

In the whole area most people in talking about concessions and ore bodies, if you look at the area in Newfoundland stretching from Bale Verte Peninsula right down to Grey River, and I suppose you could even cross over into Daniel's Harbour, you can almost see a straight line going from the Northwest down to the Southeast almost of an ore body of varying kinds of ore. In my own district right now there are a number of ore bodies that people talk about all of the time that have not been totally explored, and it was due to a large extent to the concession system. And what a lot of the companies did, they went into a given area and located a very high grade ore body of commercial quantity - went in and highgraded the area and left. And all the while - of course, the other thing with the concession system is that very often a large company will use various tracts of land knowing that there are ore bodies there. They have other mines somewhere else in the world - it could be Australia, it could be in Africa, it could be down in South America - and because of the concession system, and not enough regulations put on them to get on with exploration, and some time limit on it, they leave large tracts of land without doing that much on them.

I just want to say in the principle of the bill that I think that the administration, the government are moving in the right direction in trying to get more lands released so that we get more development permits and get other companies and local companies involved in exploration to try to hunt down commercial finds of ore, so that we can get some more mining activity in a real way started in the Province. And it is only surely in this way, you know, if you can get - but right now I think the Minister of Mines and Energy has indicated on a number of occasions the large increase in claims staking that is taking place this year even over last year, and it has continued for the last two or three years. This can only mean that more companies - there is going to be more activity by more companies in trying to ascertain and locate various ore bodies. And this should mean that there is a greater chance of new commercial finds being found. And it is only in that light that I wish to speak on the bill.

Down in my own district, in Pilley's Island, for instance, which the Hon. Leader of the Opposition mentioned, there have been two or three companies look at that area. That whole area, of course, has pockets of ore all over it. And I remember when the old Whalesback Mine closed down. In talking to the management at the time, Brinex and the officials from Montreal, they indicated to me at that time that their exploration had not all been that great except for that ore body at Little Deer, and that they could quite reasonably say that perhaps a mile away from that site there was another large ore body that had not been fully explored. So I think we are moving in the right direction, and it is the kind of thing which will give a better chance of more commercial finds and hence more mining activity in the Province in the future.

MR. SPEAKER: If the honourable minister speaks now he closes the debate.

MR. BARRY: Mr. Speaker, there are issues raised here that we will have an opportunity to go into in more detail, Honourable members will be glad to hear, when we come back for the legislative session in June, Mr. Speaker, because notice has been given with respect to certain very important and fundamental bills dealing with mining policy and mineral revenue policy for the Province, some very important legislation is on the Order Paper.

But there have been a number of issues, Mr. Speaker, raised in connection with this particular Bill 24, an act

to give the Newfoundland Zinc Mines Limited certain additional rights with respect to taking development licenses for the next five years over an additional fifty square miles in the Daniel's Harbour area in addition to the thirty square miles that they have the right to take now. Now, it should be made clear that this fifty square miles does not mean that they are going to be in a position to hold this forever and ever and keep this fairly large area tied up, large in one sense, not large in the context of the 472 square miles that they now hold under their agreement. This is for a development license for five years only. They have to pay a rental during those five years. They have to spend a certain amount of money on exploration and at the end of those five years they have to make a decision as to whether they are going to take out mining leases. Once they take out mining leases then they have to go into production within a certain period of time. Therefore, we are talking about tying up the lands for no longer than five years under certain terms and conditions.

Now, the honourable Leader of the Opposition raised certain points that I should refer to. He said that we should not take the position that we are doing, that we have to owe the company up there any favours. Well, I thought I made it quite clear, Mr. Speaker, in my introductory remarks that what we are doing in this bill is in no way designed merely to accommodate the company, merely to keep the company happy, merely to do the company a favour. Our objective, our primary objective in this legislation is to extend the life of the Daniel's Harbour mining operation. By taking the steps that we propose in this bill, we expect that this will insure greater reserves for the company and extend the mine over a longer period than the ten years that is now predicted with the reserves that they now know.

So, we do not feel that we have to do the company any favours, that we owe the company anything, any gratitude or anything for starting up the Daniel's Harbour Mine. It is not a philanthropic

operation. They are going to make a profit on the operation if everything goes well, but our objective, Mr. Speaker, is to insure that the mining operation continues as long as possible to insure first, of course, employment for the 150, approximately, Newfoundlanders who will be employed there; secondly, to insure that the Great Northern Peninsula and the Province continues to derive the benefits from the development of our mineral resources. Because it does not matter what resources we have, they are not resources until they are taken out of the ground, until they are found and taken out of the ground. They are of no benefit to anybody, Mr. Speaker, while they lie hidden under the ground.

So, the sole purpose, the primary purpose of this legislation is not to do a favour to the company but to do a favour to the people of the Great Northern Peninsula who will gain employment from this operation, and the people of the Province generally who will derive benefits, either through taxation, mining tax, income tax from employees in the mine and so on.

Now, the Leader of the Opposition pointed out that government had done certain things for the company and he attempted to put a light on it that we did not have to do these things for the company, that the putting in of the five miles of access road, if we had not put it in for the company we could have been able to put it somewhere else in the Province. Mr. Speaker, honestly, the fact, the utter gall, that is all I can say, for the honourable Leader of the Opposition to take this position. I note again he is up to his usual tactics of raising questions for the sake of making a few political points and then disappearing, hiding before he gets the answers, does not want to wait around to get the answers, does not want to wait around to hear the response to the petty political points he tries to make.

AN HONOURABLE MEMBER: Do not get personal now.

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MR. BARRY: Well, Mr. Speaker, let me say that if there is one thing that the people of this Province accept almost with unanimity is that that honourable crowd opposite and the Liberal administration that was turfed out in 1972, that if there was one thing they deserved to be turfed out for it was the way they squandered and gave away the mineral resources of this Province.

MR. NEARY: We gave it all to George McLean.

MR. BARRY:

Here you have, Mr. Speaker, a mining operation going into production with no special tax concession, no special deals. If you look at this agreement, Mr. Speaker, you will see that this company is subject to the provisions of the Mining Tax Act whatever they may be from time to time, the general Mining Tax Act, no special agreement, no special deal. And, Mr. Speaker, our government has previously announced the steps it was taking to assist and to ensure that this mine would go into production. But we made it quite clear, Mr. Speaker, that our policy was and will be that government assistance should be in the form of infrastructure, infrastructure that will be of benefit to all the people of the area and not, Mr. Speaker, giving companies special tax breaks or tying up territory for them for forever and a day at very generous tax rates. That is not this government's policy. And that is why, Mr. Speaker - I will tell you, I was almost struck speechless when I heard the Leader of the Opposition get up after he participating in an administration that created the mess that we had to set up the Royal Commission on Mineral Revenue to try and straighten out and we now get the honourable member up and criticizing this government -

MR. NEARY: How many mines in Baie Verte did you open up?

MR. SPEAKER: Order, please!

MR. NEARY: The only thing you opened is -

MR. SPEAKER: Order, please!

CAPT. WINSOR: The truth hurts. The truth hurts.

MR. BARRY: Mr. Speaker, I will be content -

AN HON. MEMBER: (Inaudible).

MR. BARRY: - I will be content, Mr. Speaker, if we can see -

MR. SPEAKER: Order, please!

Honourable members to my right seem to persist in continuing to talk across the House, when the Chair is attempting to call order. If they persist in this, then the Chair is going to have to persist in naming them.



MR. BARRY: Mr. Speaker, they only give me added incentives. I can go on all afternoon with a few sparks like that from them.

SOME HON. MEMBERS: (Inaudible).

MR. SPEAKER: Order, please!

MR. BARRY: Here we have, Mr. Speaker, a situation where I suppose we had the fastest mine being put in after the ore deposit was determined to be commercial. The fastest time that any company then set about going into production, Mr. Speaker. No time was wasted. And, Mr. Speaker, that was because the company was dealing with a government that was prepared to sit down and discuss the matter with them, assist them, Mr. Speaker, where it was feasible, but not, not give them the special deals and special tax breaks that companies operating in Newfoundland had come to expect from the previous administration.

AN HON. MEMBER: (Inaudible).

MR. BARRY: Sure the company came, Mr. Speaker. This company came in 1972 or 1973 looking for -

MR. NEARY: It was 1970.

MR. BARRY: Oh!

MR. NEARY: We discovered the ore.

MR. BARRY: Mr. Speaker in 1972 this government brought in legislation to extend this agreement to permit the company to determine whether or not that ore body was of commercial quantities. We got the agreement extended in 1972. It is on the records of this honourable House.

MR. SIMMONS: Yes, but we had brought them in.

MR. BARRY: Mr. Speaker, within a year the company decided that it was feasible to go into commercial production. This government immediately sat down with the company, and we thrashed out how this development could get started as quickly as possible. But when the company came in and said, well now we are going to need this special tax break or this special deal, we said, just hold it right there,

hold it right there. It is the policy of this government not to give any special tax concessions, and they were talking about - you know, that is the name of the game. There was nothing wrong with a company coming in and trying to get the best deal possible for itself. That is the name of the game. That is the way it goes. And they were, Mr. Speaker, looking for improved mining tax rates. They were looking for certain - permission to get exemptions from the S.S.A. tax, I believe, at the time and other special tax breaks. And we said, just hold it right there. It is this government's policy that we will not get into special deals like the other crowd used to do where

the government is committed for the life of the mine to taking out a few scraps -

MR. NEARY: What about the Halley Brook?

MR. BARRY: - the petty little tax rates that the honourable crowd opposite used to impose on companies is nauseating, Mr. Speaker, nauseating, shameful. They should hang their heads.

MR. NEARY: Yes, no doubt.

MR. BARRY: They should hang their heads, Mr. Speaker. I wonder that they find it safe to walk the streets of the Province when the people find out as they have -

MR. NEARY: - Marystown.

MR. BARRY: - as they have the way they shamefully squandered the resources of this Province when they were in office. But fortunately, Mr. Speaker, we now have a government that recognizes the value of our mineral resources, and we see a mine here going into operation with no special tax deals, no special tax concessions. Agreed, Mr. Speaker, with certain provisions with respect to the provision of infrastructure, that is our government's policy. We will assist in providing infrastructure but these are one-shot deals, Mr. Speaker, where government can clearly see how much they are giving up, not like when you reduce a tax rate, they have no idea how long the mine is going to be in operation, how many millions and millions and millions of dollars you are going to lose to the people of the Province, Mr. Speaker, this is what the honourable members opposite would do. But this government, Mr. Speaker, and I am getting - unfortunately I do not have the entire list here before me now, but there are a few major areas where this government provided assistance and by so doing, Mr. Speaker, by so doing saved years in getting this mine into production.

MR. NEARY: How much did you give Ian Reid?

MR. BARRY: Now, Mr. Speaker, the areas where this government provided assistance in starting the Daniel's Harbour development was, first of all, with respect to road work, there was agreement that the government would put in this access road to the mine site, approximately five miles. Again I do not have the

exact details with me here now, if I do not have them by the time I am finished speaking, Mr. Speaker, I will get them to honourable members on a later occasion.

But this government provided the access road and also agreed to see that the stretch of highway from the access road to the shipping point would be paved, which incidentally, Mr. Speaker.-

AN HON. MEMBER: You are going to pave the road too!

MR. BARRY: - is going to be of some considerable benefit to residents of the Great Northern Peninsula generally.

MR. NEARY: We will be able to go troutng every weekend.

MR. SPEAKER: Order, please!

MR. BARRY: This is on the main highway. Another area, Mr. Speaker, where government has given certain assistance is with respect to the provision of houses and serviced building lots. And here, Mr. Speaker, we are accepting the recommendation of the Goundry Royal Commission and the conclusions we had already come to from seeing the unfortunate experience of areas such as Buchans, that we do not believe that we should encourage the growth of company towns in the Province, If there is one lesson we can learn from history it is that, that company towns have had their day. We do not want to see company towns developing within the Province. So we said to the company, we will assist you in providing infrastructure, providing housing for employees who are going to be working in the mining operations, and Newfoundland and Labrador Housing has gotten into a programme for the provision of I think it is fifty serviced building lots in the Daniel's Harbour area of which twenty, Mr. Speaker, will be purchased by the company. Purchased, purchased, Mr. Speaker, purchased, not given to the company, purchased, but in turn, Mr. Speaker, these will be, of course, made available to the employees of the company.

There is also, Mr. Speaker -

MR. NEARY: - Snob Hill.

MR. BARRY: No Snob Hill! Honourable members had lots of practice in that. I did not see too many policies coming from that honourable crowd opposite to avoid the creation of company towns when they were in office. But in addition, Mr. Speaker, I believe that there was a provision for a certain

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loan under the Newfoundland and Labrador Housing Corporation with  
respect to the building of homes for employees and

I have not gotten the details of this yet. Industrial development was involved in this area. But I will get the details for honourable members just as quickly as possible.

Now, Mr. Speaker, these are the only areas that I am aware of that off the top of my head I can recall. This information was given to the House, Mr. Speaker, before this operation got started, before the company started to construct this mine. This government made it clear on what terms the development was going ahead and what assistance was being given to the company. We made it clear that our policy is, Mr. Speaker, that we will assist any mining company anywhere in the Province, assist them to get a mine into production by assisting with the provision of infrastructure to avoid the growth of company towns and to encourage - there goes my microphone -

MR. NEARY: Gravy train. You are already on the gravy train.

MR. BARRY: - to encourage, Mr. Speaker, the development of mines wherever they may be discovered in the Province.

Now, Mr. Speaker, there are a couple of other items that I should refer to.

MR. NEARY: The Minister of Justice is going to have a stroke.

MR. BARRY: - a couple of things I should refer to, Mr. Speaker. Oh yes, with respect to claim staking. The honourable the Leader of the Opposition again had the face to attempt to justify the previous policy of the Liberal Administration with respect to concessions. Obviously anybody who will listen to him - and I would ask the people of the Province to note that if that honourable crowd ever got back in, they would be right back to granting these concessions, tying up vast areas of this Province for long periods of time at very low tax rates, little revenue to the Province. They would be doing this again. They have not learned. After three years they have not learned when every year, Mr. Speaker, since we adopted the policies of getting away from concessions, every year I come into this House and I point out the benefits that have come to the Province since then. Now, first of all, what is that policy, Mr. Speaker? Is it not that there will never be concessions granted by this government. It is that unless

we can be shown that there is a need, a reason why concessions should be granted, unless there is some special circumstance, we will not grant concessions. We will have open, competitive claim staking. It may be, Mr. Speaker, in some areas of the Province because they are geographically remote, such as certain portions of Labrador or the interior of the Province, it may be that a concession is warranted. It may be that a concession is warranted if we see, after a period of time, that a certain area of the Province has not had the exploration attention that it should have had.

So, we are not prepared to say we will never grant a concession Mr. Speaker, but what we are saying is that we are not going to grant these lightly. We are also saying that if we grant concessions they will be for reasonable periods of time, for reasonable size areas, for reasonable tax rates, not like the honourable crowd opposite did and are obviously prepared to do again if they ever get into power. Shameful, it is shameful, Mr. Speaker.

MR. NEARY: We will get a few mines started anyway.

MR. BARRY: Now, Mr. Speaker, the honourable Member for Bell Island is saying we will get a few mines started. Well, I can point out to this honourable House that if anybody wants to have a reason as to why we have not had more than one mine start in the last three years, we only have to look at what was happening in the last five or six years of that previous administration when many honourable members opposite were present.

Mr. Speaker, do you know that the average time it takes from the time exploration starts in an area until you see a mine going into development - and this is an average taken from right across North America - the average time is ten years. The average is ten years from the time of exploration starting until you see your mines going into production.

AN HONOURABLE MEMBER: Inaudible.

MR. BARRY: Mr. Speaker, this government is proceeding on the assumption that if we expect new mines to develop in this Province over the next few years then we have to have policies that will see companies coming in and spending money looking for these new ore bodies. Mr. Speaker,

we have been successful in this. That is why the groundwork is now being laid, Mr. Speaker. That is why from now on you are going to see as regularly as clock work, Mr. Speaker, new mines being developed in this Province because - let me give you a few figures, Mr. Speaker -

MR. NEARY: Not according to the Northern Miner.

MP. BARRY: Right. The Northern Miner, Mr. Speaker, said that the mining industry is going to avoid us like the plague because of the recommendations of the Goundrey Commission. Let me show you how they are avoiding us like the plague, Mr. Speaker.

Do you know that in this last month, in the month of April, April, 1975 when this controversy was on with respect to the recommendations of the Royal Commission on Mineral Revenue, do you know that there were more claims staked in the Province in that one month than there was all last year, when last year was an extremely good year, one of the two best years ever since Confederation for exploration. Mr. Speaker, there were 1,500 claims staked last month in this Province, 1,500 claims. All



last year there were 1,453 claims. There were 1,500 claims staked. I could not believe it. I did not realize it myself until the Deputy Minister brought in the figures to me a few days ago. Mr. Speaker, there is a rush on here in this Province. There is a veritable rush, not necessarily a gold rush although that is one mineral they are looking for.

AN HONOURABLE MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. BARRY: It may be a zinc rush, Mr. Speaker. It may be a zinc rush or a copper rush.

AN HONOURABLE MEMBER: No, it is a Tory rush.

MR. BARRY: Or a gold rush, or a silver rush, or a uranium rush, but they are rushing, Mr. Speaker, the companies are rushing to get into this Province. The honourable Leader of the Opposition confirmed it himself when he said that the St. Anthony Airport was like LaGuardia Airport in New York with the helicopters coming and going. The companies, Mr. Speaker, are getting out on the ground. They are spending money looking for new ore bodies and that will result in new mines. But that is the only way we will get new mines, Mr. Speaker, if we have money spent looking for these new ore bodies. That is why, Mr. Speaker, I am prepared to stand up here and challenge the Leader of the Opposition to deny, or any member opposite to deny that we now have a policy that is encouraging exploration. I challenge any member opposite to go out and ask the mining fraternity whether they do not agree that we have a better policy for encouraging people to invest in exploration, not, Mr. Speaker, because we have given any tax breaks, the companies know taxes are going to be increased but, Mr. Speaker, because we have a reasonable policy with respect to claims staking, because we are prepared to invest government funds in providing better mapping facilities.

Do you think I have covered the field now, Mr. Speaker? Anyhow Mr. Speaker, the House Leader is getting kind of twitchy so I had better -

We could go on, we could go on for a year on this alone.

Mr. Speaker. We could go on for a year alone on this

on this alone, Mr. Speaker. We could go on for a year alone on this and I think I have answered all the questions except how much the Province is investing in the Company. We are not investing anything in the Company, Mr. Speaker. We are making certain provisions with respect to infrastructure and on that I will get the information for honourable members as soon as I get the figures.

Mr. Speaker, I think that we have got everything covered here that was raised, but when we get to the committee stage I will be glad to answer any other questions. I might just point out that this is the map of the area. This is where the 472 square miles that the company now holds under the agreement is located and from that they will have to select eighty square miles for a five year development license. So, it is all on the West side of the Great Northern Peninsula. On the East side, on the East side, Mr. Speaker, there is a lot of activity as well. Various other companies in addition to Newfoundland Zinc are out there exploring. Some of the biggest companies in Canada, Mr. Speaker, have come in the last few years and said, we are prepared to invest in exploration here. Just the other day, Mr. Speaker, we had a company who has had a number of mines closed down across the country because of depleted ore bodies and they have said, we are looking to Newfoundland and Labrador to make up the mines that we have lost in other parts of the country because we believe that the mineral potential in this Province is as great as you will find it anywhere.

MR. NEARY: There were 1,500 claims -

MR. BARRY: In one month.

MR. NEARY: How many -

MR. BARRY: I do not have the numbers but -

MR. NEARY: Will these be - yes, but I think you have left the wrong impression.

MR. BARRY: There is more than one or two companies.

MR. SPEAKER: Order, please!

MR. BARRY: No, I have not left the wrong impression.

MR. NEARY: Is it one company and 1,500 claims.

MR. SPEAKER: Order, please! Order, please!

MR. NEARY: Two companies? Three companies?

MR. SPEAKER: Order, please!

MR. BARRY: There are a large number of companies.

MR. SPEAKER: Order, please! If the honourable Member for Bell Island wishes to ask a question then he should go about it in the normal way of asking the honourable minister to yield for a question.

MR. NEARY: Thank you, Mr. Speaker. I wonder if the honourable minister would yield for a question. Would the honourable minister, Sir, tell the House whether the 1,500 claims that he referred to a few moments ago is from one company, two companies or three companies? It sounds to me like it may be one or two applications. The minister is leaving the wrong impression.

MR. BARRY: What are you saying? Mr. Speaker, what is the honourable member saying, it sounds to him like it is only one or two companies. Why does it sound to him like it is only one or two companies?

MR. NEARY: It is incredible. -

MR. BARRY: It is incredible. I know it is incredible. Mr. Speaker, there are - I asked that same question and I asked to the Deputy Minister, you know, is this only one or two companies that are doing this and the answer I received was no, that there were many different companies. I do not have the -

MR. NEARY: How many?

MR. BARRY: I imagine you are talking fifteen -

MR. NEARY: You were an expert a few minutes ago.

MR. SPEAKER: Order, please!

MR. BARRY: Fifteen, twenty. I can get the information for the honourable members of companies involved. There are probably fifteen or twenty companies involved in exploration. I made the statement, Mr. Speaker, there were 1,500 claims filed last month, 1,500 claims.

MR. NEARY: How many companies?

MR. BARRY: I will get the information for the honourable member.

Well, Mr. Speaker, finally to conclude, one point the honourable Leader of the Opposition raised was he is stressing that we should implement the one particular recommendation - I do not know why he picked that one out of all the others because as a matter of fact that may be one that we may not be implementing. We have not reached a final decision yet but that is one that we have some reservations about - and that is with respect to, instead of taxing on the basis of profit, taking a royalty on every ton or every unit of ore produced. Well, there are certain benefits to begin doing that but there is one disadvantage and one very serious disadvantage and that is that it leads to highgrading, that it discourages the development of marginal deposits, that it encourages companies to terminate mining operations when they have gotten all the higher grade ore out and to leave the lower grade ore in the ground because it puts up the cost, the unit cost per ton of producing the ore. Of course, then if the cost goes up a certain amount, then you have your world price at a certain amount, then as soon as your cost of getting out your lower grade ore goes above the world price, or what will give a fair return on the world price, then they will leave this lower grade stuff in the ground. But if you do not take it that way, if you take it by taxing profits, then there is an incentive for them to get out the marginal and the lower grade. That is not -

AN HONOURABLE MEMBER: Inaudible.

MR. BARRY: Oh, yes! The honourable member, I am sorry, Mr. Speaker, I forgot. There is another, an expert mining economist over there now.

MR. NEARY: Well, I know more about it than the honourable minister does. I spent more time at it.

MR. SPEAKER: Order, please!

On motion second reading of a bill, "An Act Further To Amend The Agreement Ratified, Confirmed And Adopted By And Set Forth In The Schedule

To The Leitch God Mines Limited (Agreement) Act, 1964, And To Make Certain Statutory Provisions Relating To That Agreement," read a second time, ordered referred to a Committee of the Whole House presently by leave.

MR. SPEAKER: Order seventeen, bill number (30).

On motion second reading of a bill, "An Act Further To Amend The Highway Traffic Act.

MR. SPEAKER: The honourable Minister of Transportation and Communications.

MR. ROUSSEAU: Mr. Speaker, this bill has some explanatory notes. To be quite frank with you I could not understand the explanatory notes. I do not know whether the bill should be in this department or in the Department of Justice. But anyway in order to make sure that everybody in the House understood what was going on, and most importantly so that I could understand what the bill is, I have had an explanation prepared. There is some background necessary. So what I will do is attempt to give some background on the purpose of this bill through the notes I have here. To understand this bill it is necessary to understand the background. Up until 1960 money was paid into a fund called the Unsatisfied Judgment Fund for the purpose of paying persons injured in traffic accidents. The money was only paid out if the wrongdoer had no money to pay the damages. Thus the injured party got his money quickly, hopefully. The wrongdoer still had to refund the money to the fund and until he did this his license was taken away from him. It could be given back if the wrongdoer made prompt instalment payments. In other words, the complete payment did not have to be made at one time. It could be made in instalments. If the instalment payment was prompt then the license was reinstated.

In 1960 the system changed.

AN HONOURABLE MEMBER: Carried.

MR. ROUSSEAU: Carried?

AN HONOURABLE MEMBER: No, not carried -

MR. ROUSSEAU: A company called Judgment Recovery Newfoundland Limited was set up and was provided with money from the insurance companies.

AN HONOURABLE MEMBER: A real Tory policy.

MR. ROUSSEAU: The injured party would sue the wrongdoer and Judgment Recovery Limited, both. If the injured party won his case against the wrongdoer, the money would be paid by Judgment Recovery Limited. The license of the wrongdoer was removed until he refunded the money paid out of Judgment Recovery.

He might get his license back if he paid by installments and proved that he was properly insured. That was the situation then. The real purpose of the bill now that we have before the House is to regularize the fund set up before 1960, the Unsatisfied Judgement Fund. In theory, but merely in theory, the fund is still in existence but it is not being used. There are still some wrongdoers paying into that fund for wrongs committed prior to 1960 and who have not made prompt installment payments, who have not fulfilled their financial commitment to the fund. The bill will close the fund and transfer all the money - I do not know exactly the amount - at credit into the Consolidated Revenue Fund. If the other side of the House, the honourable members opposite want it I guess I will have to check it, but I do not have the exact amount.

It will also permit amounts due to that fund to be written off so that the old pre-1960 wrongdoers can get their licenses back. Quite a few of them are still without licenses over this long period of time.

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: Yes, one person in Bay D'Espoir, that is right, since 1958. When you start talking about it, the amount of the monthly payment, and catch up on that sort of thing, it is certainly an inconvenience to people.

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: Who is doing it, the House Leader or me?

MR. HICKMAN: I am sorry.

MR. ROUSSEAU: The foregoing is the main purpose of this bill, but there are still other provisions of which the honourable House should be aware and which cover the position of Judgement Recovery Limited for current and future cases. We just talked about those cases which were pre. But a judgement is given against Judgement Recovery. The company thinks that the amount is recoverable under a motor insurance policy, the company can take the insurance company to court and get judgement against the insurance company. If the court decides that the insurance company is not liable, then Judgement Recovery Limited will have to pay the claim. In other words if there is an insurance but the insurance company is able to get away without making any payment and that person,

the wrongdoer is still on the hook or the person who was wrong is still on the hook, the judgement recovery will have to pay the claim.

If the injured party incurs hospital expenses which would be recoverable from the wrongful party, these expenses can be assigned to the Minister of Health so that the Minister of Health could recover the expenses directly from the wrongful party. The owner will not be able to recover from Judgement Recovery Limited for damages to the car driven by another person with or without the consent of the owner. The owner will not be liable to recover from Judgement Recovery Services for damages to the car driven by another person with or without the consent of the owner. How am I doing?

AN HONOURABLE MEMBER: Great?

MR. ROUSSEAU: Great. Carry on? Not carried yet.

Every person taking Judgement Recovery Limited to court has to file an affidavit. In future the affidavit will have to say that no part of the claim is part of a claim made against the insurance company, that it was in effect made completely or part, and you would have to spell out the part, made against the insurance company so that there will be no double payments. Obviously if there is a claim against the insurance company such claims should be made first before bothering the Judgement Recovery Limited.

Finally, the last part of the bill. Any motor car used in an examination of competency to drive must be covered by a liability insurance policy. This is needed for a number of reasons. One is because a person testing the learner wants to be sure that he is covered if the learner crashes the car. So, this is an attempt to update this and to get those people off the hook who, like my colleague the honourable Minister of Justice, the Attorney-General, the acting Minister of Health, the acting, acting Premier and all those other nice titles and the Member for Burin points out that since 1958 a person is without a drivers license because he has not paid into the fund. That seems to be unfair.

So, this act hopefully will provide a vehicle whereby people will not be able to have their licenses immediately, but if they show prompt payment and so on, they can at least get off the hook and get back their



drivers license. So, it is an attempt to update this particular piece of legislation. So, I move second reading. How is that, boy?

MR. NEARY: Mr. Speaker, that explanation is about as clear as mud. We still do not know if the fund is going to, if the Unsatisfied Judgement Fund is going to continue, be updated, wiped out, transferred to the Consolidated Revenue Fund or what is going to happen. We do not know what the amount is. The minister came into the House to introduce an amendment to the Highway Traffic Act involving sums of money and the minister did not even go to the trouble to find out what the amount was that was going to be transferred to the Consolidated Revenue fund, one of the most important points, I suppose, in the whole introduction of this bill. I would like for the minister to go and get on the phone now. It is a rather sloppy way to bring - it is very sloppy, Sir. Go and get on the phone and find out what the amount is.

MR. ROUSSEAU: I will get it for you tomorrow -

MR. NEARY: No, but we are going - well, we will postpone the debate until tomorrow if the minister wants to do that.

MR. ROUSSEAU: I will get it for you. I have to go to the Department of Finance. It is not in the Department of Highways.

MR. NEARY: Want to defer the debate on the bill?

MR. ROUSSEAU: No.

MR. NEARY: Well, get it now. Get it now so we can find out how much money we are talking about.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: I know. I realize that. I have implicit faith in the -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: But I would like to know now before I finish debating this bill. I would like to know what it is.

MR. ROUSSEAU: (Inaudible) something important you were going to say.

MR. NEARY: No, Sir, I am not going to say anything important. I would like to ask the minister a few questions about his explanation because I am afraid, Sir, if other members of the House are like myself - maybe I am stunned. Maybe I cannot grasp things very quickly, but, Sir, I would like to know. If I understand the minister correctly, that the Unsatisfied Judgement Fund is now going to be wiped out.

MR. HICKMAN: It is not wiped out if it is transferred to judgement recovery by legislation.

MR. NEARY: Well, whatever it is now. It is no longer going to exist?

AN HONOURABLE MEMBER: Right.

MR. NEARY: That is it. It is going to cease when we pass this bill. It is going to cease to exist no matter what the name of it is now.

MR. ROUSSEAU: In theory it still exists but it does not in fact exist now.

MR. NEARY: Okay. Well, no claims have been made on the fund, then, I presume since 1960.

MR. ROUSSEAU: Under the new one, the Judgement Recovery Fund is paid for by the insurance companies.

MR. NEARY: Paid for by the insurance companies.

MR. ROUSSEAU: And in 1950 through to 1960 one dollar was charged on license fees to go into this fund. Then they found out there was enough and they discontinued the license -

MR. NEARY: I see.

MR. ROUSSEAU: How is that?

MR. NEARY: That is very good, Sir, but I still think, Sir, that what we should be doing now, apart from wiping out this whatever it is now, this - what do you call it now?

MR. ROUSSEAU: The Unsatisfied Judgement Fund, first, up to 1960.

MR. NEARY: Anyway whatever it is called we should be wiping it out and replacing it. The minister says we are updating it. We should be replacing it with no-fault insurance as has been promised by the Minister of Justice and the administration for the last few year. Nobody but nobody in this Province should be allowed on the highway, on the roads or the byways of this Province without insurance, nobody. I know now somebody will get up and make a squeal and say, oh, you are going to force everybody to buy insurance.

But, Sir, everybody who gets behind the wheel of a car should have insurance in my opinion. The insurance should be provided by the state, not allow the insurance companies to rip off the -

MR. HICKMAN: Contrary to the doctrine of the Liberal Party of Canada and of Newfoundland.

MR. NEARY: No, Sir. In three provinces of Canada at this moment, Sir, they have compulsory no-fault insurance. Not three NDP provinces.

AN HONOURABLE MEMBER: Yes.

MR. NEARY: Are they? Let me see. Yes, they have it in Saskatchewan. They have had it there for twenty odd years in Saskatchewan. Well, over fifteen years, over fifteen years. Well, it is almost twenty years they have had government sponsored insurance in the Province of Saskatchewan. They have it in British Columbia. It was introduced two years ago. Since Mr. Barrett became the NDP Premier of British Columbia they brought in a government sponsored insurance scheme and it has been operating now going on two years. It is into its second year. The first year I remember it had a tremendous deficit because the premiums, the actuaries who worked on the premiums made the premiums too low. No condemnation of the insurance plan.

AN HONOURABLE MEMBER: No.

MR. NEARY: I am glad the minister is agreeing with me.

In the Province of Manitoba, I think, is the third province where they have no-fault insurance.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Speaker, in this Province, Sir, during the campaign of 1971 there was a policy statement made by the Leader of the Tory Party at that time, who now is the Premier of this Province, policy statement, Sir, that if the P.C.'s were elected that they would take a good hard look at establishing no-fault insurance in this Province. In November, 1973, Sir, none other than the Minister of Justice in a newspaper

report is quoted as saying a realistic date for the possible introduction of no-fault insurance in Newfoundland would be 1975. And in September, 1973 Mr. Moores, the Leader of the Administration, the Premier of the Province said that they were considering at that time total compulsory automobile insurance.

AN HON. MEMBER: Inaudible.

MR. NEARY: And is this the answer we get now, Sir? This is the administration's answer to -

AN HON. MEMBER: It has nothing to do with this bill.

MR. NEARY: It has all to do with this bill, Sir. We are now seeing the demise - we are now debating the demise of the Unsatisfied Judgement Fund.

The Unsatisfied Judgement Fund, Mr. Speaker, was introduced to protect the victim of highway accidents either life, limb, or property. The Unsatisfied Judgement Fund, Sir, I believe, was set up in a law firm downtown. I do not know but the Minister of Justice - no I do not believe he was - I do not believe the Minister of Justice was associated with the law firm that developed this idea of the unsatisfied -

AN HON. MEMBER: Inaudible.

MR. NEARY: I do not remember the name of the firm, but I know it was a law firm downtown that -

MR. HICKMAN: It starts with Curtis.

MR. NEARY: But anyway, Sir, it was a -

MR. HICKMAN: In fact I wrote a very saucy letter, Mr. Curtis, who was in the House in 1960 violently objected to the private secretary of the law firm.

MR. NEARY: I see. Well, I am glad to hear that the minister has something on the ball, Sir. But, Mr. -

AN HON. MEMBER: But fifteen years ago that was.

MR. HICKMAN: Inaudible.

MR. NEARY: But this Unsatisfied Judgement Fund,

MR. SIMMONS: ..... on the ball.

MR. NEARY: - probably served a useful purpose. I have no doubt but it did. Because at that time I do not think that any

administration whether it was NDP, Tory or Liberal in Newfoundland, would have had the courage to take the bold step of bringing in compulsory no-fault insurance in this Province. So something had to be done to fill the gap, there were too many accidents involving life and limb and property and automobiles, there were too many accidents where the owners of the vehicles, the drivers were not insured and the victims had to suffer tremendously as a result of the drivers and the owners of the vehicles involved in the accidents having no insurance.

Now all of that at last is going to be removed from the Statutes. And, Sir, there is nothing in this Province at the moment to take its place except MCP as the minister says and maybe you can sue an insurance company or the insurance company will take action on your behalf. I do not know - I did not understand - I did not follow the minister on that part of his explanation. But what I want to know, Mr. Speaker -

MR. ROUSSEAU: You will only get Unsatisfied Judgement.

MR. NEARY: - where is the no-fault insurance that has been promised by this administration? Where is the compulsory no-fault insurance scheme that has been almost, Sir, I would go so far as to say, almost committed on behalf of the Minister of Justice and on behalf of his colleagues in the administration.

In the Speech from the Throne, Sir, on at least two occasions - and back in 1972 it was in the Speech from the Throne, but it has not surfaced yet, Sir. And I heard the Minister of Justice a few months ago make a wishy-washy statement that if we did bring in compulsory insurance in Newfoundland we would work through the insurance companies.

MR. HICKMAN: I did not say that.

MR. NEARY: Yes, Sir, I did.

MR. HICKMAN: Inaudible.

MR. NEARY: Well, Sir, the minister has a right to get up and deny it. But I distinctly heard the minister say that it would cost too much. We should work through the insurance companies. And I say, what nonsense. Why should we have a middle man? Why should we?

MR. HICKMAN: .... Alberta.

MR. NEARY: Mr. Speaker, when I was out in Saskatchewan last Summer I went to the insurance officer because there are a lot of -

AN HON. MEMBER: Inaudible.

MR. NEARY: - questions, there is a lot of propaganda connected with this no-fault insurance plan out in the three Western Provinces. And I can see down here, Sir, down in Newfoundland the propaganda that will start the moment a move is made to bring in compulsory insurance.

AN HON. MEMBER: You are all mixed up 'Steve'.

MR. NEARY: I am not all mixed up.

AN HON. MEMBER: Only B.C. has not got any no-fault insurance in these three Provinces. They got state run -

MR. NEARY: That is what I am talking about, Sir, it is compulsory, compulsory insurance, state run insurance schemes.

AN HON. MEMBER: Oh, oh.

AN HON. MEMBER: .... understand it.

MR. NEARY: I do understand it. I went to the office out in Saskatchewan and I sat down with the people who operate the plan and I found out all about it. And I will tell you the Minister of Justice now can get up and shoot of all he wants about how expensive the plan is, but he would still be wrong. It is cheaper for the government to operate the plan than to let an insurance company operate it.

MR. HICKMAN: Not on your life.

MR. NEARY: Oh, yes, Sir. Go out and argue with the three Western Provinces and see what they will tell you.

MR. HICKMAN: They will tell you in Manitoba they paid \$6 million - to pick up the deficit -

MR. NEARY: Yes, Sir, for the simple reason that the premium was set too low. But even if the premium had been set high enough to break even or to make a profit, even if it had been set high enough, it still would have been considerably lower than what you get from an insurance company, the premium you would pay an insurance company.

MR. HICKMAN: - the Province of Manitoba there is still a deficit.

I would like the honourable gentleman to tell me why non-motorists, their tax money should subsidize -

MR. NEARY: Mr. Speaker, the non-motorists are not subsidizing the insurance companies.

MR. HICKMAN: They are in Manitoba.

MR. NEARY: They are not, Sir. Well, I do not know about Manitoba but they are not in Saskatchewan.

MR. HICKMAN: Average ....

MR. NEARY: That is an incorrect statement, Sir. And the Minister of Justice should -

MR. HICKMAN: And the Liberal Party ....

MR. NEARY: - The Minister of Justice instead of taking one of these useless trips to Geneva should go out West and study the insurance plans.

AN HON. MEMBER: He went to Geneva because he was -

MR. NEARY: He went as an observer. The minister did not participate in any of the discussion he was not allowed. He just went over as an observer. A useless trip. Go out West. Go out in Western Canada and find out about these insurance plans. The minister is on the public record as making a commitment to the people of this Province to bring in compulsory no-fault insurance. And it has not surfaced yet. And I know, Sir, the minister will get up now and say, well, you know, I took advantage of this -

AN HON. MEMBER: Hear! Hear!

MR. NEARY: - amendment to the Highway Traffic Act to get my shot away. But, Sir, there is no other opportunity in this House to do it. And I am quite within my rights under the Standing Rules of this House, Sir, to bring this matter up under this particular bill, because we are seeing the end of the Unsatisfied Judgement Fund. We do not know how much is left over. We do not know how many claims are outstanding. I am glad to see that these honourable gentlemen are going to get their licences back. But, Mr. Speaker, that is poor consolation for the victim. Obviously -

AN HON. MEMBER: They have been paid.

MR. NEARY: - Obviously if they have not had their licences back or the taxpayers of this Province - obviously, Sir, if they have not had their licences back they have not met their obligation to

the Unsatisfied Judgement Fund. And they probably never will, so you may as well give them back their licences, it seems to be a hopeless situation.

But from now on, Mr. Speaker, I think, that the administration, the government of this Province should take the bull by the horns and make it the law of this Province that nobody be permitted to get behind the wheel of a vehicle, an automobile, unless he is covered by insurance.

MR. HICKMAN: Hear! Hear!

MR. NEARY: The minister says, hear, hear. Well, why does not the minister do something about it. I would prefer today, Sir, than to see a - and the minister discovered that the Ode to Newfoundland was not enshrined in law.

MR. HICKMAN: Are you against that?

MR. NEARY: No, Sir. And then the minister panicked, he said, oh -

MR. HICKMAN: What do you want ....

MR. NEARY: - he was shocked when he learned that the Ode to Newfoundland was not enshrined in law in this Province.

MR. HICKMAN: On a point of order. I know the rules of relevancy are sometimes strange. But I must confess if the honourable gentleman can convince this House that the "Ode to Newfoundland" has some relevancy with An Act To Amend The Highway Traffic Act I will bow to his superior wisdom. I will put it in the category of Erskine May, Beauchesne and every other great parliamentarian. But I do suggestion it is way beyond the rules of relevancy, plus the fact that if the honourable gentleman wants to sing "When sun rays crown" I am going to give him the opportunity later on this afternoon.

AN HON. MEMBER: Inaudible.

MR. NEARY: Mr. Speaker, to that point of order, I will submit, Your Honour, that the minister should have given me the chance to finish my sentence, Sir. He is anticipating what I am going to say, and what I am going to say, Sir, I will submit to the Chair is completely relevant. And I submit to Your Honour that is not a valid point of order made by the Acting Acting House Leader.



MR. CHAIRMAN (DUNPHY): The honourable minister's point is well taken.

It is the opinion of the Chair that the honourable Member for Bell Island is not being relevant to the bill under discussion.

MR. NEARY: Well, Sir, how much, how much more shocked, Sir, would the minister be, or is the minister when he goes to bed at night and is laying there gazing at the ceiling and rubbing his hands and his forehead and looking heavenward, how much more shocked is the minister when he realizes that we have people behind the wheels in this Province who are completely reckless and irresponsible, that are endangering people's lives? How much more shocked must he be when he realized this, and that is not enshrined in law in this Province.

Sir, it would be far better if the administration spent their time trying to do something useful for the ordinary citizens of this Province, instead of bringing in a lot of this trashy legislation that we have seen yesterday and today in this honourable House.

MR. EVANS: Inaudible.

MR. CHAIRMAN (DUNPHY): The honourable Member for St. John's East.

MR. MARSHALL: Mr. Speaker, I just want to say a few words on this bill, but before so doing I would like to congratulate the honourable Member for Bell Island because the honourable Member for Bell Island has a great capacity for speaking on and on and on, ad infinitum but yet not really conveying anything at all because the honourable Member for Bell Island went on in perhaps what might appear to be a most convincing manner yet he does not understand, he might have visited insurance companies or places in Alberta, Manitoba, Japan, you know China, wherever it may be, but he obviously does not understand the difference between no-fault insurance on the one hand and compulsory insurance on the other.

Now with respect to no-fault insurance, it may appear to be a beneficial thing but this poor beleaguered Province with all of its requirements and all of the requirements on its purse of 500,000 people cannot, I would submit, no matter how beneficial the programme might appear, put forward at this particular stage of the game no-fault insurance. And all you have to do is look at some of the examples in the wealthier Western Provinces to see this.

So he is obviously confusing again, the honourable member is confused. He has not got his leader here today to guide him again. But he is obviously very confused in his concepts of no-fault insurance on the one hand and compulsory insurance on the other, I would, though, point out in connection with this, that I do feel that the government might well consider bringing in as quickly as it possibly could, and I think it is studying it, the concept of compulsory insurance in this Province, requiring drivers to furnish as a condition of their licence adequate insurance coverage. It is my understanding of the Highway Traffic Act, and I do not believe it has been changed since but it certainly was a while ago, that you were faced with a real inconsistency where the Registrar of Motor Vehicles after an accident occurred and there was no insurance, could then and would then actually suspend one's insurance, suspend the driver's licence until proof of insurance was given.

In other words, the action was taken really after the act had occurred and I do not feel that this is really of benefit to the public. I think that it ought to be done beforehand. My own feeling is, and I know it may effect somewhat the rates but the rates can be adjusted to apply to the persons who are the greatest risk at the higher amount, but I feel that people who are not able to get public liability insurance ought not to be able to drive on the roads of this Province and I have seen myself many instances where very serious injuries have occurred and the Judgement Recovery Limited gives a certain limited right to recover, but not certainly the full right and in many cases it is where you have very serious injuries, the amount of money involved is very, very little, comparatively speaking. And I do not feel that people should be allowed to drive on the highroad unless they have adequate -

AN HON. MEMBER: Inaudible. Are you talking about personal injuries?

MR. MARSHALL: - personal injuries, yes - unless they have adequate public liability insurance and I do not think, you know the act recognizes it but it is after the fact and I think that it should be done before the fact. So I just point this out. The honourable Member for Bell Island is again confusing the issue and he has talked on and on for quite a length of time as he is capable of doing. He is confusing, obviously, no-fault insurance

with compulsory insurance but I would very strongly recommend and urge the government to look at the aspects of compulsory insurance because it can cause, I know myself, that it can cause quite a large degree of anguish and agony to a family where accidents have occurred and there is not the minimum statutory amount of proper type of coverage to the driver concerned and I think that this is the way that we should really be tending towards in our highway insurance programmes.

MR. SPEAKER (Dunphy): The honourable the Member for St. Barbe North.

MR. F. B. ROWE: Mr. Speaker, I was not going to speak on this particular bill until the honourable Member for St. John's East got up and accused my colleague from Bell Island of, I do not think he used the word deliberately but confusing the issue between compulsory and no-fault insurance.

Now my colleague has spoken. He cannot get up in defence of what he has said.

AN HON. MEMBER: By leave.

MR. ROWE: Unless of course by leave, which is unlikely, but I would not be surprised but my colleague is confused, Sir. Certainly the -

SOME HON. MEMBERS: Inaudible.

MR. ROWE: Certainly, and I will give the honourable members opposite the reason why I would not be surprised but he is confused, the people of Newfoundland must be confused, Sir:-

MR. NEARY: Bewildered, frustrated.

MR. ROWE: More than confused and frustrated to say the least. Because here is why, Sir. In October 1971 the Premier of this Province, he was not the Premier at the time, the present Premier of this Province during a campaign speech said that the P.C.'s if elected would investigate setting up no-fault insurance, a no-fault insurance scheme, thereby reducing auto insurance premiums. And the Premier, who was not the Premier at that time, also said the P.C.'s would investigate the high cost of auto insurance.

Now, Sir, that was what he said during a campaign speech and I go back

to the old misleading strategy again.

MR. NEARY: Con job.

MR. ROWE: The strategy that this party has used over the years, to mislead the people of this Province in getting up in a campaign speech and talking about, very carefully wording it, but would 'investigate.' Now anybody knows when a leader of a party gets up and used fancy language like 'investigating,' that in the heat and passion and emotion of any political meeting, or any public meeting, that the people are going to assume that this government is going to put a realistic effort into trying to bring no-fault insurance into this Province.

I would say, Sir, that the majority of the people of Newfoundland believed that this government was going to take a positive step towards bringing no-fault insurance into this Province. Now, Sir, we have been speaking about this, Sir.

AN HON. MEMBER: He is not in order.

MR. ROWE: I am quite in order.

AN HON. MEMBER: No you are not.

MR. ROWE: In 1973, September 1973 the Premier said that they were considering total compulsory auto insurance, quite a different matter, Sir, quite a different, That was in September 1973 the Premier said that they were considering total compulsory auto insurance, a very different matter as mentioned by - not my colleague, my friend from Burin. But, Sir, that was in 1973.

In 1975 the Minister of Justice is quoted as saying, a realistic date for the possible introduction of no-fault insurance in Newfoundland would be 1975. So do honourable ministers ever get together over on that side of the House? The Premier says one thing in 1971, dilutes it in 1973, comes down a few pegs, and the Minister of Justice two years after that goes back to the original statement made by the Premier in 1971. Now were you confused? He was not confused. He was simply, my colleague from Bell Island, Sir, was simply going over the policy statements and promises made by this administration and obviously that sounded confusing because he was repeating the policy statements and promises of this administration. And he was

comparing them these three separate promises with what we have here today, which is an insult to the Province, this bill in relation -

AN HON. MEMBER: (Inaudible).

MR. F. ROWE: It is a funny thing, Mr. Speaker, how when over on this side of the House we interject, we are very swiftly called to order whereas honourable members opposite can continue to interject at will.

MR. EVANS: No aspersions on the Chair now.

MR. F. ROWE: When I want any parliamentary advice from the political genius from Burgeo, Sir, I will ask for it.

MR. EVANS: (Inaudible). the first thing.

MR. SPEAKER (Mr. Dunphy): Order, please!

The Hon. Member for St. Barbe deserves the courtesy to be heard in silence and when the Hon. Member for St. Barbe North refers to another honourable member, the member for Burgeo-LaPoile, he should refer to him in the proper parliamentary title as the member for Burgeo-LaPoile. I think that was not in order.

MR. F. ROWE: What did I say for that to be incorrect, Sir?

MR. SPEAKER (Mr. Dunphy) "Political genius".

MR. F. ROWE: Well, Sir, when I -

MR. NEARY: That is the biggest compliment -

MR. EVANS: (Inaudible).

MR. SPEAKER (Mr. Dunphy): Order, please!

MR. F. ROWE: I withdraw political genius and say political moron, Sir -

MR. EVANS: (Inaudible).

MR. F. ROWE: Sir, I just simply want to -

MR. SPEAKER (Mr. Dunphy): Order, please!

The honourable gentleman has been unparliamentary to the honourable gentleman again, and I would ask him to withdraw the statement that was just made.

MR. F. ROWE: Sir, my friend from Burgeo is not a political genius, he is not a political moron, he is the Hon. Member for Burgeo-LaPoile, for Burgeo. I am saying once again that when I wish to have some parliamentary advice from my honourable friend opposite, I will solicit

it in the proper fashion, Sir, and there is no need for him to involve himself at the present time in a verbal exchange.

Now, Sir, to get back to the point I was trying to make, that is that this is an absolute disappointment, an insult to the people of this Province if this is what the minister is bringing in when we compare it with the promises and policy statements made by this administration over the last five years. This is the simple point, Sir. We were hoping to see something a little more. The Hon. Minister of Justice says that this has nothing to do with it. That is the whole problem. It does not have anything to do with the promises made but it is in the same realm, the same area. We are talking about protecting people.

MR. NEARY: When we removed one plan from the statutes, we should have something to replace it.

MR. F. ROWE: Exactly, removing something.

And after all the promises, political promises and Throne Speech promises we see nothing of substance to replace this particular bill here at the present time. So, Sir, for myself I am extremely disappointed, and I would submit that the people of Newfoundland and Labrador, if they were here to see the inaction of this government, would be disappointed as well.

MR. NEARY: The Ode to Newfoundland enshrined into law.

MR. SPEAKER (Mr. Dunphy): If the honourable minister now speaks he closes the debate.

MR. ROUSSEAU: Mr. Speaker, the bill here before us today is one in respect to a specific act that was on the books and the act was meant to be changed. It is, you know, one of those non-earth-shaking bills, but I am sure the Hon. Member for Hermitage, who has a constituent who has been inconvenienced by this bill since 1958 - and there may be another one, there may not be another one around the Province - but, you know, to cover a great distance a lot of little steps are needed and this, I think, is going to provide justice for those people who before 1960 are not able to recover their licence for obvious reasons.

The new situation that exists is much better than the one that previously existed. The fact is that now that anybody who is hurt in an accident there can be a claim and the claim can be assigned to the Minister of Health. The amount of money by the way - I have just checked everybody down, there is the honourable minister, and everybody is away, but I will undertake to get the information for him. There must at least \$1,000.

MR. NEARY: At City Hall the absenteeism -

MR. ROUSSEAU: They are on important business I am sure. But anyway I will undertake to get the money. It must be at least \$1,000, but I do not know what it is really. I have no idea. But anyway the amount is a fact that the bill or the act - the Unsatisfied Judgment Fund exists only in theory. It has not been used since 1960, and we think this is a good piece of social legislation. It is going to enable certain people who are not now able to have their licence get their licence. It is a small and not an earth shattering or an earth shaking thing. I am sure that all the comments made and taken with acute interest by the Minister of Justice in respect to compulsory insurance and no-fault insurance will be given consideration by the honourable minister. I know that he is presently working on the concept of compulsory and no-fault insurance. He is like a voracious tiger in cabinet trying to get the thing tied together, and I am sure that before the end of the year we will see something from the Minister of Justice on this item. First to come, as I understand it, will be the compulsory insurance aspect which is a part of no-fault insurance.

So we think this is a step forward, not a big one maybe in many people's minds, but to those people who are affected by the passage of this bill, I am sure it will be meaningful to them.

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

Motion second reading of a bill, "An Act To Amend The Department Of Public Works And Services Act, 1973."

MR. ROUSSEAU: This is merely a bill to give force to changes in the Department of Public Works. There are now three Assistant Deputy Ministers in Public Works. There were originally two. When the Department of Supply and Services and the Department of Public Works merged in 1972 there was an Assistant Deputy Minister of Services who was Mr. Ash, who retired last July, a very fine gentleman who gave many years of distinguished public service as an Assistant Deputy Minister of Public Works. And with the department as it is and with the amount of construction and the amount of work involved, the department has expanded and now there will exist three Assistant Deputy Ministers, one of Administration, one of Property Management Services and one of Technical Services. The Technical Services would actually be the Public Works engineer staff, the technical staff. The Property Management Services would mean various aspects of the property that has to be managed by government and Administration would include the aspect of services, supply and services.

There is also another item here in which the bill would enable areas of the Province to be designated as Public Works development areas and in that instance then that land is, in effect, held for any development that would be in the decision of the Crown needed in the Province, so that any sale of land in that area until such time as it decided to go ahead with any given government developer and would not, in effect, be void without permission from Public Works. So I have pleasure in moving second reading of this bill with all the support of my colleagues.

MR. NEARY: Mr. Speaker, it is a great afternoon in the House, Sir. At this moment there are three honourable members in this House, three out of forty-one members sitting in the House at the moment.

MR. ROUSSEAU: Name them.

MR. NEARY: Three. We could defeat the government, two against one at the moment.

MR. ROUSSEAU: I got two portfolios.

MR. NEARY: I think this is the lowest we have gone down so far in the whole session.



MR. NEARY:

Mr. Speaker, this is another example, of course, of the utilization of the time of this House in bringing in bits and pieces of legislation merely, I suppose, to do a little housekeeping. The one part of this bill, Sir, has to do with the chain of command, to set out the chain of command in the department as to regards to the Assistant Deputy Ministers. As my honourable colleague reminded me there a few moments ago, the cancer of bureaucracy continues to grow. But one thing, Sir, that intrigues me in this legislation is section number five, "any transaction entered into without the approval in writing of the minister by the owner or occupier of any land within the public works development area by way of agreement or sale of the land or any interest in the land or of anything in or on the land either at the time the transaction was entered into or subsequent thereto is void."

Now, this intrigues me, Sir, because it was my impression that this was always so, Mr. Speaker, before any deal could be made with anybody to dispose of any government land or property that came under the Minister of Public Works it was always my understanding, Sir, that the minister would have to approve of the transaction. Now, I do not know if it was compulsory for the minister to do it in writing before now but perhaps the minister could clarify that when he stands up. Sir, I do not know if this is the proper place to bring up this matter or not but there is a matter that concerns me in my own district of Bell Island, Sir. It has been of tremendous concern to residents of Bell Island now since DOSCO made their final pullout back in 1966 and closed the last mine on Bell Island. But, Mr. Speaker, all the land that was under DOSCO's jurisdiction, that was granted to DOSCO by the Crown, the crown land, DOSCO were given the mining and timber rights on the island and given a tremendous amount of land, practically the whole of Bell Island and half Conception Bay, all that land, Sir, crown land, when it came back to the Crown somehow or other could not go back to crown lands. It had to go back to the

Department of Public Works. Now, Mr. Speaker, I get the impression when I receive applications from my constituents to get a building lot that one department, the Crown Lands Department, the Department of Forestry and Agriculture passes the buck over to the Department of Public Works and you go to Public Works and they disclaim any responsibility for the land and they refer you back to Crown Lands. It is still up in the air and the residents, the people who are interested in getting some of this land to build houses on and so forth are getting the run-around. Not only are they getting the run-around, Sir, but I get the run-around. I have just given up on it. I am completely frustrated. I do not know who to turn to next. We were told three or four years ago that a survey was being conducted on the island to find out just how much land the government owned over there. That was about three years ago. Certainly, Sir, that survey should be completed by now. The government should be in a position now to know how much land they own, how much land they took back from DOSCO. I would like for the minister to tell me now, here in this honourable House, is his department responsible for the crown land that came back to Her Majesty's Government after the DOSCO pullout?

AN HONOURABLE MEMBER: It is not residential land.

MR. NEARY: No, Sir. Some of it was residential. Some of it DOSCO had buildings on it. Some they used for mining property. Some of it there was just timber on it, you know, trees. Some of it is just vacant land, grassy land. But there is a fair amount of land there, Sir, a fair amount of land and people keep their eye on it because there is a desperate housing shortage on Bell Island at the present time, believe it or not, although we had a surplus of houses in 1966. Like every other community in Newfoundland and in Canada, there is a desperate housing shortage on Bell Island at the present time. People are starting to build new houses again and they come to me or they go to the Minister of Forestry and Agriculture to Crown Lands Division to look for a piece of land, a building lot to stick up a house and

they are referred to the Minister of Public Works Department and the Public Works Department say they know nothing at all about it.

I have taken -

AN HONOURABLE MEMBER: Who did the survey?

MR. NEARY: I do not know.

AN HONOURABLE MEMBER: What department?

MR. NEARY: Well, it was done by the Department of Mines and Energy at that time because it was started by the Department of Mines, Agriculture and Resources. But then we had to leave and the survey carried on in the next year and I did not see the survey that was around Bell Island last year. But would the minister tell me, tell the House who is responsible for this land? Is it the minister's department and if so, how can these poor people who want to make application for a building lot, what procedure do they have to go through? Do they make application to the minister's department or do they make application to his colleague's department?

AN HONOURABLE MEMBER: Crown lands.

MR. NEARY: I beg your pardon?

AN HONOURABLE MEMBER: Crown lands.

MR. NEARY: It is crown lands. No, Mr. Speaker. There you go. You see, I am getting it again. If the Minister for Crown Lands was here, Sir, he would tell us it is the Minister of Public Works. The Minister of Public Works was out of the House when I made this statement. I will make it again for his benefit. When the land, for some reason or other, through some technicality, through some legal point, legal procedure when the land came back from DOSCO, back to the government it could not go back to Crown Land. It had to go back to the Minister of Public Works. Has the minister got it straight now? Every time somebody goes to the minister's department to look for a piece of land for a building lot they are told that they do not know anything about it down there. I would like for the minister to straighten this out. Here we have large tracts of land on Bell Island, no man's land.

Nobody owns it. My advice to the people is go in and build on it and to h e two sticks with the bureaucratic run-around that they are getting. I have advised people to do that. Say look, go and take your chances. Stick your house up. If you cannot get an answer from either one of the government's departments, government departments stick your house up. They will never put you off of it. They will probably never need the land anyway. Some have gone ahead and done that. They have taken their chances. But it is very frustrating, Sir. It is frustrating for me because I do not understand it. Perhaps the minister can under this particular bill now can avail of the opportunity to try to straighten this matter out for us.

MR. SPEAKER: The honourable minister speaks now, he closes the debate.

MR. ROUSSEAU: Yes, I had not been made aware of that situation and it is unfortunate that people would get that type of run-around. They certainly should not. At least there should be an answer one way or the other and I can assure the honourable Member from Bell Island that I will undertake to find out just what the situation is. I can understand the frustration of people if that sort of situation does indeed exist. I must say that I spent a year and a half, May of 1973 until December, 1974, October, 1974 in the department and it had not come to my attention. This is the first I have heard about it. But quite possibly it was going at the official's level or so on and it never came to my desk. Certainly as a result of that situation it will be looked into and find out just what the situation is in respect to it and undertake to do whatever we can to unleash this land. It is unfair to the people there. This land is being held up for technical reasons which can be overcome. They are back in the area -

In respect to this particular section by the way, this section applies to areas such as the Gros Morne National Park, the Terra Nova National Park, these areas where public work is going on. It is not just any piece of tract or tract of land in the Province. It is where there is a public development going on. There was another one in mind.

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I am trying to think of it.

MR. NEARY: Labrador?

MR. ROUSSEAU: No.

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: Yes, Labrador, pretty well. Labrador, that is not a public work.

That is company works. But anyway it would be areas of that nature. It is not an indiscriminate ability of government to disallow a building in any area. It is where something such as a park or something of that nature is being developed and it would then be declared as a public works area. Of course, no building could be built on that land. So, -

AN HONOURABLE MEMBER: Carried.

MR. ROUSSEAU: The honourable House Leader says the bill is carried and I think that answers the questions that were posed and so on. So, shall I move second reading?

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: I move second reading.

On motion a bill, "An Act Further To Amend The Department of Public Works and Services Act, 1973," read a second time ordered referred to a Committee of the Whole House presently by leave.

Motion second reading of a bill, "An Act Further To Amend The Summary Jurisdiction Act."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: Mr. Speaker, this amendment actually was requested by the Rules Committee who were set up under the provisions of the Summary Jurisdiction Act, and what it is designed to do is to permit a magistrate when a judgement debtor is brought before him to make an order as to the amount of the monthly payments. Right now the magistrate does not have the jurisdiction in order to limit the funds and it is not a very far reaching principle but it is one that is very desirable and one that has the support of the magistrates, Newfoundland Magistrates Association and the Rules Committee, I move second reading.

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

Motion second reading of bill, "An Act Further To Amend The Companies Act."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: Mr. Speaker, last year we amended the Registration of Deeds Act which provided that floating charges should be registered in the Registry of Deeds rather than under the provisions of the Companies Act and this act was passed with the unanimous enthusiastic support I am sure of all honourable members but that act necessitates an amendment to the Companies Act which eliminates the requirement to file a floating charge in the company's registry as well as in the Registry of Deeds.

The other is a fee of \$5 for a certificate of good standing of companies, which is a very, very reasonable fee and a very modest contribution to the economy of this Province who are the corporate giants of Newfoundland. And the other is that which prevails in every other registry now in the Province that you pay fifty cents a folio if you want copies of deeds, which does not really cover the costs.

AN HON. MEMBER: Fifty cents a page.

MR. HICKMAN: Fifty cents a page - or a folio.

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

Motion second reading of a bill, "An Act To Amend Certain Statutes Of The Province."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: That is the comma bill. This bill is necessary. The legislative draftsmen have discovered certain, as they refer to them as patent errors in the Statutes of this Province with commas left out and periods left out and full points left out and this is to cure these defects in the Statute Law of the Province and I move second reading.

On motion a bill, "An Act To Amend Certain Statutes Of The Province," read a second time, ordered referred to a Committee of the Whole House presently by leave.

Motion second reading of a bill, "An Act Further To Amend The Insurance Companies Act."

MR. SPEAKER: The honourable Minister of Provincial Affairs and the Environment.

HON. G. DAWE, MINISTER OF PROVINCIAL AFFAIRS AND THE ENVIRONMENT:

Mr. Speaker, this amendment will serve to bring in line with the other provinces the amount of money, share capital and paid up capital that is required by insurance companies in the Province to keep on deposit. It will also serve as greater protection for the insurance consumer in the event of bankruptcy of such firms who have quite a substantial amount of money to take from the trust fund and I understand what they would do is to purchase other insurance through some other agency or company.

There is quite a substantial increase. Under the old act there was somewhere around - for instance in a life insurance company setting up here would have to deposit \$200,000 whereas now under the new bill it would be \$500,000 and \$250,000 in subscribed capital.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, we have no hesitation in supporting this bill, Sir, "An Act Further To Amend The Insurance Companies Act." I think it is the first piece of legislation brought into this honourable House by the minister responsible for Consumer Affairs in this session of the House, Sir, which is most disappointing. It is a straightforward amendment, just to increase the share capital and the paid up capital of the insurance companies for better protection I guess of the consumer. For a while, Sir, we thought that the minister responsible for Consumer Affairs was becoming a mute but we know now, Sir, that he can speak and we hope that we will see more legislation in this session of the House dealing with matters that affect the consumers of this Province.

MR. SPEAKER: If the honourable minister speaks now he closes the debate.

MR. DAWE: I would like to assure the honourable member, Mr. Speaker, and the people of this Province that there will be much more legislation coming in directed at the protection of the consumer. I move second reading.

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

Motion second reading of a bill, "An Act To Remove Legal Restrictions On The Assignment By Her Majesty Of Certain Rights To The Newfoundland And Labrador Hydro-Electric Corporation."

MR. SPEAKER: The honourable Minister of Mines and Energy.

MR. BARRY: Yes, Mr. Speaker, this relates to the fact that as I think one or two people in the Province are aware, this government took the very courageous step of repurchasing its hydro potential in Labrador for the people of the Province and it is contemplated and I believe the steps have already been taken to have the new Newfoundland Hydro Corporation take over the portion of the amount paid to BRINCO for the CFLCo Corporation, the Churchill Falls Labrador Corporation, to take over the portion of that that relates to the Gull Island project - I am sorry, not



the Gull Island project, the Upper Churchill project.

As honourable members remember, there was a certain amount allocated for the purchase of the hydro rights and a certain amount allocated for the purchase of the Upper Churchill project. Newfoundland Hydro has now taken over the, I think it was \$130 million as the honourable Minister of Justice - I have to confess I do not - but it is in that range, \$130 million of the \$166 million, that has been taken over by Newfoundland Hydro and this bill permits the royalties and rentals of CELCo to go to Newfoundland Hydro towards the repayment of that loan that was taken out initially to purchase the Upper Churchill project and to purchase back the hydro rights of Labrador. And this act is necessary because the Financial Administration Act requires, unless there is other legislative provisions, requires that any monies payable by government, I am sorry payable to government, must go into the Consolidated Revenue Fund and government could not merely decide that the payments go to Newfoundland Hydro without legislation such as we are bringing before the House in this bill. So I would move, Mr. Speaker, that this bill be adopted.

On motion a bill, "An Act To Remove Legal Restrictions On The Assignment By Her Majesty Of Certain Rights To The Newfoundland and Labrador Hydro-Electric Corporation," read a second time, ordered referred to a Committee of the Whole House presently by leave.

Motion second reading of a bill, "An Act Further To Amend The Welfare Of Children Act."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: Mr. Speaker, the bill sets forth what this act is all about. It simply removes the requirement to have a psychiatrist on the Youth Guidance Authority. Apparently the experience of the officials in the Department of Social Assistance has indicated that the services of a psychiatrist for the type of continuing involvement required - there is no real need. I move second reading.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Say, hear, hear.

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

Motion second reading of a bill, "An Act To Adopt An Anthem For The Province of Newfoundland."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: Mr. Speaker -

MR. BARRY: Will we move that we all sing and rise?

MR. HICKMAN: "As loved our fathers, so we love" - how is that?

MR. BARRY: Mr. Speaker, I wonder if we could have the proper tune?

MR. HICKMAN: I have a cold.

MR. PECKFORD: Put that in the legislation.

MR. HICKMAN: Mr. Speaker, as I have indicated on the day that the notice of this bill was given, it had been discovered by some research that the Ode To Newfoundland had never, ever received official status in this Province or indeed in this country when it was a Dominion. This, apart from everything else, brought on certain little protocol problems. For instance at official functions where the "Ode to Newfoundland" was properly played followed by "Oh Canada" and then followed by our National Anthem, "God Save The Queen," the armed forces and the police were not

permitted to salute. This was always a bit of an embarrassment to the Province because this anthem had no official status whereas "Oh Canada" and "God Save The Queen" did. This was brought to our attention. It is obviously within the competence of the provincial legislature and we very hastily and very quickly and with a great deal of pride moved to change and rectify that situation.

As honourable members are undoubtedly aware, the "Ode To Newfoundland" was written by Sir Cavendish Boyle who was governor of this Island or Dominion, from 1901 to 1904. He was a gentleman who had a very distinguished career in the public service of the Commonwealth. He served in many of the parts of the Commonwealth prior to his coming into Newfoundland. In any event before he left Newfoundland he was inspired to write the words, and I think the music, of the "Ode To Newfoundland." I came across somewhere a clipping of Mr. Arthur English who wrote, Sir Cavendish Boyle was leaving the Province, "that His Excellency has contributed to the literature of the colony a poem that will live. As people we stand indebted to him for these exquisite verses." It was a sure judgement.

When Sir Cavendish was leaving for the Sicilies, Mr. Arthur English wrote, "Let the Southern stars and the fronded palm trees repeat the song from these Northern Seas. God guard thee, our friend, on that far away strand who taught us to sing, 'God Guard Thee Newfoundland.'" That was a tribute paid to Sir Cavendish Boyle when he left our shores. History records that he was an outstanding governor. But the only real record that will continue in the minds of Newfoundlanders of accomplishment when he served his office here from 1901 to 1904 was that he wrote this beautiful "Ode To Newfoundland." I ask this House to enshrine it as the provincial anthem of this Province. I suspect that Newfoundland is the only Province and will be the only Province with a provincial anthem. I am not sure of this, but I cannot recall ever being at a function in any other Province where a provincial anthem has been sung. I am sure that if Nova Scotia had one, they would sing it because they -

MR. NEARY: How about Quebec?

MR. HICKMAN: Quebec sing "Alouette" and all these but they are not provincial anthems. I move second reading. I commend it to all honourable members of the House and I know they will approve it.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, I am so overcome by the eloquence of the minister's introduction of this bill, Sir, that I can hardly speak I have such a lump in my throat. No doubt, Sir, Sir Cavendish Boyle tonight will rest more comfortably wherever he is situated because with the full knowledge, Sir, of knowing that his great work of art the anthem, the "Ode To Newfoundland" is now going to be enshrined in legislation and will become the official national anthem, or provincial anthem I guess it is, of the Province of Newfoundland and Labrador.

I notice the minister did not say that the anthem would be for the Province of Newfoundland and Labrador, just for the Province of Newfoundland. I assume that the government have now reverted back to the original position.

MR. HICKMAN: There is the government of Newfoundland but constitutionally it is only the Province of Newfoundland -

MR. NEARY: I see.

MR. HICKMAN: The British North America Act provides for the Province of Newfoundland only.

MR. NEARY: But, Sir, it would not have done any harm to have printed on the bill that this is an act to adopt an anthem for the Province of Newfoundland and Labrador.

MR. HICKMAN: There is no such place.

MR. NEARY: Well, Mr. Speaker, there is such a place although the minister may not think so. This is not the most important piece of legislation Sir, ever to be brought before this House. I suppose if you were a sentimental one like the Minister of Justice, Sir, you may think that it is quite important. When he woke up one night and it suddenly dawned on him that the "Ode To Newfoundland" was not the provincial anthem, that he must have been shaken for days and rushed into the office the next day and had the legislative draftsman put together this bill, rushed it into the House, urgent matter, top priority of the

government. The minister, Sir, must have been on tenterhooks ever since this bill has been brought into the House just waiting to get an opportunity to get at legislation so that we could pass it in the House. The minister is not in very good voice today, Sir.

AN HONOURABLE MEMBER: Right.

MR. NEARY: Although I gave him a little something there to clear his throat when he was over here a few moments ago it did not seem to do the minister any good, Sir. No wonder they hired after listening to the minister today, Sir, is it any wonder that they hired a director of, what is it, music affairs or something.

AN HONOURABLE MEMBER: Mr. Hellen.

MR. NEARY: Mr. Hellen. No wonder they hired Mr. Hellen on the other day, Sir. Hellens.

MR. HICKMAN: If the honourable gentleman does not sit down, I will get up and sing all four verses.

MR. NEARY: Well, Sir, that is what I am going to challenge the minister now. I will sing the first verse -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: No, Sir. You know believe it or not, Mr. Speaker, I doubt very much if there are many people in Newfoundland today who know all the verses of the "Ode To Newfoundland." Every function that I have attended, Sir, you always sing the first two verses, the first and the last verse. I must confess, Sir, that the only ones that I know are the first and last verses. I must agree with the minister that it has been awfully confusing on occasions.

You go to a public function in Newfoundland, Sir, a state banquet, a state dinner or public function, especially in the rural parts of the Province, not so much now today in the urban centers but in the rural parts and when the function is over you spend half your night singing provincial anthems and national anthems. You cannot wait to get out of the place. You get up, you have to have the first and last verse to the "Ode To Newfoundland." You have to have the first verse of "Oh Canada," and you have to sing "God Save The Queen."

MR. HICKMAN: That is when they all get at their hymn books when they start singing "Oh Canada." Nobody can remember the words.

MR. NEARY: No, and, you know, I suppose this is the day for confessions.

I must confess also that I only know one verse of "Oh Canada." I learned that before Newfoundland went into Confederation, and because I remember the embarrassing situation that took place upon Parliament Hill, the minister did not remember this today when he introduced this bill, does the minister remember when the terms of union to make Newfoundland a province of Canada, when somebody suggested that they sing the "Ode to Newfoundland," and not a soul in the group knew one verse, one word of the "Ode to Newfoundland."

AN HON. MEMBER: Inaudible.

MR. NEARY: Pardon?

AN HON. MEMBER: Inaudible.

MR. NEARY: Poor old Sir Cavendish Boyle must have been spinning in his grave.

MR. HICKMAN: That is right. And the late Gordon Bradley was at that function.

MR. NEARY: And the late Gordon Bradley - that is right - and I believe Don Jamieson was at that function.

MR. HICKMAN: Yes.

MR. NEARY: Anyway somebody finally -

MR. HICKMAN: Don was crying you remember -

MR. NEARY: Yes, there was a lot of weeping and gnashing of teeth, Sir, and after the dramatic way that this bill was introduced in the House today I felt like breaking down and crying myself. I almost wept.

But anyway, Sir, I suppose Sir Cavendish now will be able to rest more comfortably knowing that the "Ode To Newfoundland" has become the provincial anthem, Sir.

AN HON. MEMBER: ... sing the first verse.

MR. NEARY: And I, you know, I do not know if I remember all of the words of the first verse, but I will sing the words of the first verse.

MR. HICKMAN: Is that a deal?

MR. NEARY: If the minister in closing the debate will sing the words of the second verse.

MR. HICKMAN: Okay.

MR. SIMMONS: Just wait now, I am going to get my band.

MR. NEARY: And I will ask my colleagues to join me.

MR. HICKMAN: And his band.

MR. NEARY: Mr. Speaker is it permissible to sing the first verse of the Ode to Newfoundland, Sir?

MR. HICKMAN: If you recall the late -

MR. NEARY: When sun-rays crown thy pine-clad hills/ And Summer spreads -

MR. SPEAKER: Order, please!

MR. NEARY : - her hand!

MR. SPEAKER: Order, please! Apart from saying the honourable member is out of order, I might say he is out of tune.

AN HON. MEMBER: Hurray!

MR. NEARY: Well, Sir, there it is.

AN HON. MEMBER: Inaudible.

MR. NEARY: Now there is no getting away at all, Sir. Will this be sung by - incidentally will the minister tell us what functions the provincial anthem will be sung. Will it be sung at bingo games?

AN HON. MEMBER: ... conservative.

MR. NEARY: Or will it just be state banquets or will it be sung down at the taverns and the clubs?

AN HON. MEMBER: At leadership conventions.

MR. NEARY: Will it be sung at - Yes at leadership conventions. At what functions?

AN HON. MEMBER: Inaudible.

MR. NEARY: At what functions?

MR. HICKMAN: As one institution ...

MR. NEARY: Will Dick Nolan now make a record, Sir, of our provincial -

MR. BARRY: Smallwood's nominating convention.

MR. NEARY: Pardon?

MR. BARRY: Smallwood's nominating convention.

MR. NEARY: You know, Mr. Speaker, I may be out of tune but believe it or not, Sir, there are a lot of people in Newfoundland who

would think that the Premier's voice is similar to Dick Nolan's voice. Maybe what we should do, Sir, is get the new director of musical affairs or whatever you would call them that was hired on the other day -

AN HON. MEMBER: Inaudible.

MR. NEARY: - get him and the Premier together, Sir, and get the Premier to sing the Ode to Newfoundland, and we will make a record and I will bet you it would be a -

AN HON. MEMBER: Inaudible.

MR. NEARY: Yes, Sir, it would be a million - was it a million -

AN HON. MEMBER: Inaudible.

MR. NEARY: A gold record! A gold record!

Anyway, Sir, I support the bill.

MR. SPEAKER: If the honourable minister speaks now he closes the debate.

MR. HICKMAN: Mr. Speaker, I thank the honourable - I thank the honourable music critic from the Opposition for his support and the support of his colleagues. I realize it is unparliamentary, and I am not able to carry a tune but I would love to be able to sing with your permission, When blinding storm gusts fret they shore/ but I will not. But as I look out through the window I can see what inspired the late Sir Cavendish Boyle when he wrote the second verse of the Ode to Newfoundland. He must have written it around May 1, as he looked through the window of Government House and watched the snows beating down upon the shimmering land. I move second reading.

On motion a bill, "An Act To Adopt An Anthem For The Province Of Newfoundland," read a second time ordered referred to a Committee of the Whole House presently by leave.

MR. HICKMAN: Mr. Speaker, I move that the House resolve itself into the Committee of the Whole.

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

COMMITTEE OF THE WHOLE



May 1, 1975

Tape 1988 (Afternoon)

PK - 4

MR. CHAIRMAN: (DUNPHY): Order! Bill No. 2.

A bill, "An Act To Provide For The Direction Of Intergovernmental Affairs In The Province."

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

A bill, "An Act Further To Amend The Judicature Act."

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

A bill, "An Act Respecting Adult Corrections."

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

A bill, "An Act To Amend The Medical Act."

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

A bill, "An Act Further To Amend The Companies Act."

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

MR. CHAIRMAN (Mr. Dunphy):

A bill, "An Act Respecting Public Libraries And Boards To Operate Them."

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

A bill, "An Act To Remove Legal Restrictions On The Assignment By Her Majesty Of Certain Rights To The Newfoundland And Labrador Hydro-Electric Corporation."

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

A bill, "An Act Further To Amend The Memorial University (Pensions) Act."

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

A bill, "An Act Further To Amend The Education (Teacher Training) Act."

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

A bill, "An Act Further To Amend The Schools Act."

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

A bill, "An Act Further To Amend The Highway Traffic Act,"

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

A bill, "An Act To Amend The Department Of Public Works And Services Act, 1973."

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

A bill, "An Act Further To Amend The Welfare Of Children Act."

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

A bill, "An Act Further To Amend The Department Of Finance Act."

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

A bill, "An Act Further To Amend The Summary Jurisdiction Act."

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

A bill, "An Act To Adopt An Anthem For The Province Of Newfoundland."

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

MR. CHAIRMAN (Dunphy): Bill number (34).

A bill, "An Act Further To Amend The Public Service (Pensions) Act."

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

MR. CHAIRMAN (Dunphy): Bill number (33).

A bill, "An Act Further To Amend The Civil Service Act."

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

MR. CHAIRMAN (Dunphy): Bill number (40).

A bill, "An Act To Amend Certain Statutes Of The Province."

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

MR. CHAIRMAN (Dunphy): Bill number (24).

A bill, "An Act Further To Amend The Agreement Ratified, Confirmed And Adopted By And Set Forth In The Schedule To The Leitch Gold Mines Limited (Agreement) Act, 1964, And To Make Certain Statutory Provisions Relating To That Agreement."

On motion clause (1) carried.

MR. HICKMAN: Mr. Chairman, I move an amendment to Clause (2). That is only a comma after 1963.

MR. BARRY: No, no.

MR. HICKMAN: Oh yes, further along.

Clause 2 (5)(c) amended to read, the Company will submit within ninety days of the anniversary date of the development licence; (1) audited accounts to confirm that all required expenditure has been made in accordance with subclauses (3) and (4) of this Clause 9, and (ii) detailed reports of work done on each area comprised in the development licence. And then in Clause 2(6) there is a misspelling, area should be acre, for each acre.

On motion Clause 2 as amended carried.

MR. HICKMAN: The third last line of Clause 3 (2) 'that' is deleted.

On motion Clause 3 as amended carried.

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

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Tape 1990

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

MR. CHAIRMAN (Dunphy): Mr. Speaker, the Committee of the Whole have considered certain items to them referred and have passed the following bills, bills number

2, 17, 21, 23, 7, 11, 20, 27, 26, 29, 30, 31, 28, 25, 36, 37, 34,  
33, 40, without amendment and bill number 24 with amendment,  
Mr. Speaker, returned to the Chair.

MR. SPEAKER: The Chairman of the Committee of the Whole reports that they have considered the matters to them referred and report having passed Bills number 2, 17, 21, 23, 7, 11, 20, 27, 26, 29, 30, 31, 28, 25, 36, 37, 34, 33, 40 without amendment and ask leave to sit again.

On motion report received and adopted.

On motion Committee have leave to sit again presently by leave.

The Chairman of the Committee of the Whole reports that they have considered the matters to them referred and report having passed Bill number 24 with amendment and ask leave to sit again.

On motion report received and adopted.

On motion Committee have leave to sit again presently by leave.

On motion amendments read a first and second time.

On motion bills ordered read a third time on tomorrow.

MR. HICKMAN: Mr. Speaker, just one short one and then we can get into the late show. It is Bill Number 32, Order 31.

Motion second reading of bill, "An Act Further To Amend The Gasoline Tax Act."

MR. HICKMAN: Mr. Speaker, under the present sales tax act the government can make agreements with wholesalers to deduct the Gasoline Tax Act and remit the government. In Churchill Falls we have a situation where the company acts as the, or stores, has responsibility for storage of all oil, some of which they sell to the consumers which means that they are really acting as retailers. This bill simply provides that the government may make an agreement with any person in Labrador to appoint him as an agent whether he is a retailer or a wholesaler.

MR. NEARY: Mr. Speaker, the only concern that I have about this bill, Sir, is that it gives the minister some pretty broad powers.

MR. HICKMAN: (Inaudible)

MR. NEARY: Yes I know, but it says that the minister may enter into an agreement with any person in Labrador who is required to bring large quantities of gasoline into Labrador. Now if it went on then to say into Labrador for the purposes of the construction of the Lower Churchill, you know,

then it would restrict it to that particular area but right now it is wide open, you know, and I do not know if the minister had looked at it in that light or not but this is the only thing that concerns me about it now.

I know the purpose of the bill is to try to get somebody in Churchill Falls who can distribute the gasoline and refund the gasoline tax and so forth to the Province. It may not be important at all, Sir. It may be completely irrelevant but I would like to hear the minister's comments on it when he is winding up the debate on it.

MR. SPEAKER: If the honourable minister speaks now he closes the debate.

MR. HICKMAN: Mr. Speaker, you know all I can say to the honourable gentleman is that this was the advice that we received from the legislative draftsmen in my department. They were asked to prepare a bill which would cover this situation and my deputy minister said this is the only thing that would do it.

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

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

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

On motion that the Committee rise, report progress, and ask leave to sit again.

MR. DUNPHY: Mr. Speaker the Committee of Whole have considered the matters to them referred, have passed a certain Bill, Bill number 32 without amendment and ask leave to sit again.

MR. SPEAKER: The Chairman of the Committee of the Whole reports that they have considered the matters to them referred and report having passed Bill number 32 without amendment and ask leave to sit again.

On motion report received and adopted.

On motion Committee has leave to sit again on tomorrow.

MR. SPEAKER: While the Chair certainly has the prerogative under this rule to decide and thus the responsibility to announce to the House the order in which questions would be dealt with, the Chair has had a request that there be a change in the order and certainly the Chair has no objection to that. The understanding from honourable members involved that it is okay.

So the order has been slightly changed. The first question remains the same, the second one will now be also a question by the honourable Member for Bell Island to the Minister of Mines and Energy with regards to the Newfoundland Light and Power Company, and the third one will be the question by the honourable Leader of the Opposition to the honourable Minister of Transportation and Communications. So I recognize the honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, a few days ago when I was questioning the Acting President of the Treasury Board on the strike of the employees of the Newfoundland Liquor Corporation, I think during the cross examination of the minister, Sir, I think I kind of caught the minister off guard, and I do not know, Sir, whether he made a slip or not, but the minister told the House, Sir, that the government had decided to close the liquor stores. The moment the government discovered, were told that the employees were going on strike, the government decided to close the liquor stores.

Now, Sir, this was a most irregular and a most peculiar action on the part of the Newfoundland Liquor Corporation indeed, because usually, Sir, when a strike is called the business or the premises or the industry will leave the office open, will leave the premises open so that management people at least can get to work. Now the government is in a kind of a situation, Sir, not only the government but the public, we do not know whether the employees are on strike or locked out, or if they are being locked out by the government. And now the government cannot open the office, cannot open the liquor stores because if they did it would be interpreted as strike breaking.

AN HON. MEMBER: Why would it.

MR. NEARY: Because it would, Sir, Because the government have stated publicly



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they are going to close the liquor stores during the duration of the strike. If they now change their mind and open the liquor stores, Sir, it could cause a fuss. It could be misinterpreted and it could be interpreted as strike breaking.

Now, Sir, the second peculiar thing that happened during this strike and I want to be very careful, Sir, in what I say, I do not want to be accused of being irresponsible, making statements during the course of the strike, but the Minister of Manpower, Sir, is alleged to have said that this is a trend setter, that the administration are reluctant to settle with the employees of the Newfoundland Liquor Commission because it would create a precedent and then the Minister of Mines and Energy, Sir, the Acting President of Treasury Board contradicted this and said, no, they are treating each group separately but with strings attached. Well, Sir, I say there should be no ifs, ands and buts -

MR. BARRY: Who said strings attached?

MR. NEARY: The minister said that it has to be related. The minister said this morning it has to be related to the other

negotiations. The minister said it has to be related in some way or other. It has to be related to -

MR. BARRY: Common sense says -

MR. NEARY: Commons sense. Well, Sir, well, Sir, I would say that there should be no strings attached, that the government should make every effort to settle this dispute with the employees of the Newfoundland Liquor Commission because the Province is loosing, Sir, approximately \$600,000 a week in revenue as long as this strike continues. They are being penny wise and pound foolish. My third question is, Sir, where do we go from here? There does not seem to be any effort at all on the part of the Newfoundland Liquor Corporation or the Minister of Manpower and Industrial Relations to get the parties back to the bargaining table. Sir, this is what they should be striving for now. They should be making every attempt and every effort to get the parties back to the bargaining table. Otherwise, Sir, the impasse will go on indefinitely, continue forever. The only way it can be settled is to sit down at the bargaining table and negotiate and bargain in good faith. There is no evidence, Sir, that this is happening. No wonder that labour-management relations in the Province, Sir, are in such bad shape when the government cannot even settle an agreement with 200 of their employees. What kind of a year are we going to have, Sir, with the rest of the groups, with the teachers and the nurses and the civil servants and the hospital workers and the police and the wardens down at the penitentiary? What kind of a turbulent year are we going to have when this honourable crowd with their inexperience are unable to settle a dispute, come to an agreement with 200 of their employees?

My big question is, Sir, where do we go from here? Is the government just going to take a hands-off attitude? Is the Minister of Manpower not going to get involved and try to get the parties back to the bargaining table or is the government just going to sit back and let it go on and on and on and on and loose probably in the process

millions of dollars, of badly needed revenue for the Treasury of this Province.

MR. SPEAKER: The honourable Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, there is not a question that I have been asked in this honourable House since I had the opportunity to sit here that I have not answered. But it is unfortunate that honourable members opposite, particularly the honourable Member for Bell Island feel it necessary whenever there is a labour dispute and whenever they feel that they might be able to get government into political difficulties, regardless of what the effect may be on the employees, the unfortunate employees who find themselves out on the picket lines because they are exercising their legal rights under the collective bargaining process, it is unfortunate that honourable members by mischievous questions or statements in this House attempt to make the pot boil, attempt to have negotiations debated in the House instead of at the bargaining table, instead of between the actual parties where it should be done, Mr. Speaker.

This government does not intend, does not intend, Mr. Speaker, to carry on negotiations by debate in this honourable House or through the media. This is not the way we believe the collective bargaining process should work. We will attempt to answer the questions to the honourable member but we will not engage in debate on this particular dispute or any other labour dispute when that is likely to merely to aggravate the situation, prolong the strike and ultimately harm the employees and harm the public interest.

Now, Mr. Speaker, I made it quite clear that our policy is as far as possible to treat each bargaining unit on his own merits but realizing, knowing that members on both sides of this House, both parties in any labour dispute realize and knowing that the people of Newfoundland realize that the settlement in any labour dispute will have some effect on later settlements, will have some effect, Mr. Speaker. That is a fact that we have got to recognize.

It is common sense. It is common sense that there will be some relationship as far as later settlements are concerned to previous settlements. So that is the only point I have made and the only point I intend to make on that.

With respect, Mr. Speaker, to the statement as far as closing the liquor stores are concerned, I read out here a press release presented by the President of the Liquor Corporation where the President stated that the liquor stores were closed effective as of a certain date because of the strike by the employees. I do not know where the honourable member suggests or gets the evidence to suggest there is a lockout. The President of the Corporation was quite clear. I understand that management is performing its normal functions but if the employees are not there to serve the public then the public cannot be served. It is as simple as that. I do not know if the honourable member is suggesting that we should employ scab labourers. Is that the recommendation of the honourable member? Is that what the honourable Member for Bell Island and what the honourable members opposite believe should be the policy of government in this strike or any other strike, that we should try and break the strike by bringing in scab labour? Obviously, Mr. Speaker, that is the only conclusion one can come to.

The honourable member asked, what now? We have stated, Mr. Speaker, the President of the Corporation has stated that he is perfectly willing to continue negotiations at any time. The honourable member finally asked, what kind of a year are we going to have if government cannot settle this? Does the honourable member really believe that the role of government is to step in a week after a strike starts or within days after a strike starts and lay down a settlement?

MR. NEARY: Are you trying -

MR. SPEAKER: Order, please!

MR. BARRY: We saw the honourable member's party do this with the I.W.A. strike. Is this what the honourable member wishes us to go

back to where government steps in and decertifies a union if they will not roll over and play dead and accept what we say? That is the sort of stuff that the members across the House supported and their administration supported. That is not the way, Mr. Speaker, that this government believes the collective bargaining process should operate.

MR. SPEAKER: The honourable Member for Bell Island in a second question.

MR. NEARY: Mr. Speaker, for the second time in less than a month, Sir, the Newfoundland Light and Power Company has an application before the Board of Commissioners of Public Utilities for an increase of around fifteen per cent, Sir, in its electricity rates throughout the Province. The first hearing before the Public Utilities Commission, Sir, the Public Utilities Commission had its hands tied behind its back because it could not investigate the reasons for the application for an increase of fifteen per cent in their rates at that time. No fault of the Board of Commissioners of Public Utilities, Sir, just the fault of the laws of this Province. Now, Sir, they are back again looking for another fifteen per cent and this time, Sir, it stinks to high heaven because I can see, Mr. Speaker, that there has been a cozy, sweetheart agreement made between the government and the Newfoundland Light and Power Company. There has been a sweetheart agreement, Sir. They were told - the government, first of all, Sir, said they knew nothing about, they were not prepared to admit, Sir, that they knew anything about these applications in the beginning. Now, we were told the other day by the minister that, yes, they knew all about it, that the Light and Power Company said they were going to ask for -

MR. BARRY: Not ture.

MR. NEARY: Yes, Sir! The minister said they were going to ask for five per cent but now they have discovered they are asking for close to fifteen per cent. More and more, Mr. Speaker, more than ever before it looks to me as though a provincial takeover of the Newfoundland

Light and Power Company is the only way, Sir, to protect the public of this Province from being fleeced right, left and centre in the interests of bigger dividends for the Newfoundland Light and Power Corporation's well-heeled shareholders. The Province, Sir, has plunged itself into debt. We borrowed \$160 million to buy the Churchill Falls Corporation, pay \$20 million a year in interest to generate power at the Upper Churchill and other sites and we are negotiating, Sir, for further millions of dollars to generate power in other parts of Newfoundland and on the Lower Churchill. All this does, Mr. Speaker, if we do not get rid of the middle man, all this does, Sir, is to make money for the Newfoundland Light and Power Company for their shareholders and their executives. It is ridiculous, Mr. Speaker, in my opinion, to spend all these billions on power generation and then turn the power distribution over to the profiteering middleman. Our government, Mr. Speaker, must immediately set in motion -

AN HONOURABLE MEMBER: The honourable Member is reading his speech.

MR. NEARY: No, Sir, I am not. I have a few notes, Sir. I am not reading my speech. I got a note here that says Peter Milley. I do not know if that has anything to do with it or not. But, Sir, the government must take immediate steps to set in motion the move which Ontario took, Sir, over a century ago. We own the sources of power of this Province, Mr. Speaker. Now we must, to protect our public, buy back the distribution from a corporation whose own loyalty, Sir, is to its shareholders, the vast majority of whom have no loyalty to this Province and some of them do not even live here.

Now, the minister will get up and tell us, oh, yes, on the one hand you are saying it is too expensive and on the other hand you are telling us to take over the Newfoundland Light and Power Company. Well, Sir, the answer to that is as plain as the nose on your face. The Newfoundland Light and Power Company, if it was taken over, is a money maker. That is where the government will get

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sufficient revenue for them to take over, to pay off, to amortize  
any loan, the principal and interest of any loan that they might  
have to make to take over that company. I would say,

Mr. Speaker, the sooner the administration does this the better. That is the only way we can protect the consumer against being fleeced by this Corporation.

MR. SPEAKER: The Hon. Minister of Mines and Energy.

AN HON. MEMBER: - Billy Graham.

MR. BARRY: Mr. Speaker, again, you know, I am left speechless by the assumption on the part of the honourable member that Newfoundlanders are too green to burn. The honourable member talks about a cosy, sweetheart agreement and that government has said that it knew nothing about the intentions of Newfoundland Light and Power to go for a further rate increase. Mr. Speaker, that is totally wrong, incorrect, untrue, misleading, call it what you like. Mr. Speaker, as a matter of fact, not only was government aware, the people of the Province were aware because at the time of the previous rate increase there was an article in one of our papers, I forget which one, there was a clear statement by the company at the time of the application that it would have to go for another rate increase of approximately five per cent from the figures that they indicated to us in order to meet their own escalating operating costs, five per cent. Now I have made it quite clear to the House, Mr. Speaker, that we have not been convinced that the present application is justified that we have not yet been satisfied that instead of five per cent the company should be going for fourteen point seven per cent or fifteen per cent, whatever it works out to.

Mr. Speaker, the way the system works, however, is that we have an independent Public Utilities Board. And that Utilities Board, Mr. Speaker, retains consultants, retains economists, retains engineers, retains experts in the field of utility regulation to go into in great detail the justifications supplied by any corporation, in this case, Newfoundland Light and Power, to determine whether its application for a rate increase is justified. One of the things it looks at, Mr. Speaker, referred to by the honourable member, is the rate of return to the shareholders, the profit that has been made and is likely to be made



by the Corporation. That is one of the things that the Public Utilities Board has to look at and it says that it is going to permit a certain percentage, a certain rate of return. What is it? Does the Hon. Minister of Justice recall what the normal rate of return that was set?

MR. HICKMAN: A reasonable rate of return.

MR. BARRY: But they have certain guidelines set or they have set them at previous hearings. But they limit the amount of the profit that a corporation can make and unless the Public Utilities Board is satisfied that this increase is justified in terms of keeping the company operating and in terms of it making a reasonable rate of return, they will not permit the increase.

MR. NEARY: Why should they make a profit?

MR. BARRY: Now, Mr. Speaker, the honourable member asked, why should they make a profit?

MR. NEARY: (Inaudible).

MR. SPEAKER: Order, please!

MR. BARRY: The justification that they would give, Mr. Speaker, for requiring a reasonable rate of return is that they are bringing money into the Province, that they are raising dollars, not with the government's backing. The taxpayer of the Province is not putting his signature on the back of the note. But they are raising dollars and for this year alone, I believe, it is in excess of \$30 million that they will be bringing into the Province. If they did not bring it in, then government would have to bring it in and the taxpayers would have to go on the back of the note.

MR. NEARY: Surely they are not doing -

MR. BARRY: When they do that they say, we want a reasonable rate of return. They also say and, Mr. Speaker, you know, there are people who can have differing opinions on that but a fair number of our people, I believe, in the Province and I think the honourable member opposite often agrees that government and government corporations are not always the most efficient bodies in the world.

MR. NEARY: You took over Churchill Falls.

MR. BARRY: It is not always the most efficient way of carrying on business.

MR. NEARY: You took over Churchill Falls.

MR. SPEAKER: Order, please!

MR. BARRY: We took over Churchill Falls, Mr. Speaker, that is correct and for a very specific reason because we found that government policy, namely getting the Lower Churchill developed for the benefit of the Province that that policy was being blocked by the presence of a private corporation. And I submit, Mr. Speaker, that whenever this government finds that the policy of government is being blocked on a serious matter such as that, in the field of electrical utilities, then this government will take action. But until we are shown how government policies can be blocked or until we are shown that it is in the public interest to take certain steps with respect to provincializing and nationalizing whatever you might call it, Mr. Speaker, we are not prepared to meekly follow the recommendations of the Hon. Member for Bell Island. At the present time Newfoundland Light and Power has an application before the Public Utilities Board. We are also presently examining the evidence that the company will be submitting. And we are sure, Mr. Speaker, that the Public Utilities Board will be making very sure that if there is any rate increase that it has been justified by the evidence.

MR. SPEAKER: Order, please!

There was to have been another question but the Hon. Leader of the Opposition is not here so, therefore, the person involved, the Hon. Minister of Transportation and Communications cannot reply to a question that is not spoken to by the Hon. Leader of the Opposition.

SOME HON. MEMBERS: (Inaudible).

MR. SPEAKER: Order, please!

MR. ROUSSEAU: Mr. Speaker, could I, by leave of the House, give some information?

MR. NEARY: No, no.

MR. ROUSSEAU: No, they do not want to hear the information.

MR. SPEAKER: It has been moved and seconded that the House do now adjourn. Those in favour "aye." Those against "nay." The motion is defeated.

MR. HICKMAN: Mr. Speaker, I move that the remaining Orders of the Day do stand deferred and that the House on its rising do adjourn until tomorrow Friday, at eleven o'clock in the forenoon.

MR. SPEAKER: It is moved and seconded that the House do now adjourn until tomorrow Friday at eleven o'clock in the forenoon. Those in favour "aye." Those against "nay." Carried.

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