

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

3:00 p.m. - 6:00 p.m.

THURSDAY, DECEMBER 6, 1979

The House met at 3:00 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER(Simms):

Order, please!

With respect to the matter raised on Tuesday by the hon. the Minister of Forests, Resources and Lands (Mr. Morgan), I would like to say, first of all, that I have no evidence of any misuse of facilities by members of the Press Gallery nor have I received any complaints regarding same.

I would like to quote paragraph 28, Beauchesne, page 15: "The authority of the Speaker and the House over the Press Gallery is uncertain. While technically the Gallery is under the jurisdiction of the House, in practice it enjoys a considerable degree of independence."

This certainly is the tradition in this House, and I should like to point out as well to hon. members that my relationship with the Press Gallery on behalf of the House to date has been an excellent one.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

With respect to the point of privilege raised by the hon. Minister of Forests, Resources and Lands, I refer hon. members to Beauchesne, pages 24 - 26, where it clearly sets out the procedure on a breach of privilege. As hon. members are aware, I cannot rule on a question of privilege. My function is limited to deciding if a prima facie case can be established. In the matter raised by the hon. minister, a prima facie case has not been established.

SOME HON. MEMBERS:

Hear, hear!

STATEMENTS BY MINISTERS

MR. SPEAKER:

The hon. the Minister of Mines and Energy.

MR. NEARY:

The Minister responsible for rationing.

MR. BARRY:

Mr. Speaker, I wish I could ration the hon. member. We have gotten more than our share of him,

MR. BARRY: and the people of this Province
have, in the last few years.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: They keep sending me back as a
watchdog.

MR. BARRY: Gluttons for punishment.

MR. NEARY: You will see that (Inaudible)

MR. SPEAKER(Simms): Order, please! Order, please!
Statements by Ministers.

MR. MORGAN: Ignore him! he is a pest.

MR. BARRY: Mr. Speaker, today I met with
officials of Abitibi-Price Inc. to discuss that company's exploration
programme for the Buchans are in 1980, and I wanted to make a
statement on this in light of the comments that have arisen following
the annual meeting of the Buchans Action Committee.

While in 1979 exploration
expenditures are approximately \$900,000, in 1980 expenditures on
exploration should more than double to approximately \$2 million.

There were some encouraging
results from this year's drilling programme but further discoveries
will have to be made to avoid a mine shut-down. The more money spent
on exploration the better the chance of a discovery. Accordingly, I
welcome the increase in exploration expenditures proposed by the
company.

I reject the criticism of the
Chairman of the Buchans Action Committee that failure by Government
Ministers to attend the Committee's annual meeting indicated lack
of interest in keeping Buchans viable. The Resource Policy Committee
of Cabinet met with the Buchans Action Committee on November 2, 1979,
the latest in regular meetings that we with that Committee, at their
request, whenever they wish to meet, and all outstanding issues
between the Committee and Government were thoroughly discussed.

MR. HARRY:

Upon receipt of notice of the Committee's annual meeting, I requested the Chairman to inform me whether the Committee wished to have representatives of government departments present. No reply to this letter was received. Because the House of Assembly was in session, and emergency Cabinet and Caucus meetings set, the Premier and his Cabinet ministers were unable to attend.

I also want to refer to the pilot project to produce barite at Buchans. Preliminary information on this project is encouraging and I hope to have further details shortly.

MR. SPEAKER: (Sings)

The hon. member for Windsor-Buchans.

MR. FLIGHT:

Mr. Speaker, I would like to have a couple of minutes to make a reply to the hon. minister's statement, and in so doing I would like to thank him personally for the decency anyway of having sent over the statement so that I had a couple of minutes to peruse it.

Mr. Speaker, I would like to deal with the second part of the statement first wherein the minister rejects the criticism of the Chairman of the Buchans Action Committee. I would say to the minister, to be fully aware of what the people of Buchans felt, he would have had to be present one year ago today when the now Premier, the then Minister of Mines and Energy, went to Buchans and spoke at a meeting. The incredible performance of that minister, the now Premier! Having told the people of Buchans that he was his own man, that he was there to open communications, that obviously there had been no communications in spite of the presence of a \$200,000 Buchans Task Force report, in spite of the presentations of the Action Committee, in spite of my representation in this House of Assembly on their behalf, the now Premier indicated one year ago that the problem was lack of communications and that he would now see that the Buchans problem was addressed and that solutions would be found. He left quite an impression. A year later, Mr. Speaker, and at the same meeting, the Buchans Action Committee, by wire,

MR. FLIGHT: invited members of the Cabinet and the Premier to attend a meeting, and not one minister saw fit to attend. Now, Mr. Speaker, the minister can reject the criticism if he likes, but the fact is that it is indefensible, indefensible, that not a member of the Cabinet under the circumstances was in Buchans.

PREMIER PECKFORD: A point of order, Mr. Speaker.

MR. SPEAKER: (Sings) A point of order. The hon. the Premier.

PREMIER PECKFORD: You know, Mr. Speaker, the hon. member for Windsor - Buchans (Mr. Flight) if he is allowed to have the latitude in response to a Ministerial Statement dealing with exploration activity in the Buchans area and reasons given for not attending a meeting has expanded into what is now, if not debate, very close to debate, Mr. Speaker. And making attacks on me personally in other roles and now, then I must have the same latitude to be able to respond otherwise the thing does not - you know, Mr. Speaker, it is just fair ball as far as I am concerned.

MR. SPEAKER: To the point of order. The hon. member for the Strait of Belle Isle.

MR. ROBERTS: I do not think the Premier has raised a valid point of order. He may very well be upset with the member for Windsor-Buchans (Mr. Flight), but I would simply say that the truth speaks for itself and we will see what is said about that. But the member is simply replying to a Ministerial Statement. The rules governing Ministerial Statements are of their very necessity most wide.

P. P. ROBERTS: They have to be, Mr. Speaker. The minister may say very largely what he wishes, and he did so without any interruption from us, and the hon. gentleman, I would suggest, is allowed to respond in kind provided he does not wander over the line into the realm of debate. I think it must be left to Your Honour as to what is debate and what is not because that, Sir, depends on the facts in any given situation. I do not think you could lay down a firm rule that some particular word or form of words is debate and some particular word or form of words is not debate. And I would submit, Sir, the member for Windsor - Buchans (Mr. G. Flight) has not stepped over the line, that he is simply exercising the latitude which has been given to him by Your Honour and by the precedents of this House.

SOME HON. MEMBERS: Hear, hear!

MR. E. ROBERTS: The member for LaPoile (Mr. S. Neary) is making an editorial comment on the statement, which is in its way effective.

SOME HON. MEMBERS: Hear, hear!

MR. EDP. ROBERTS: I would suggest, Sir, the member for LaPoile is debating it but he is not doing so orally. He is doing it very effectively, he has made a very telling comment on it. But Mr. Speaker -

MR. MORGAN: (Inaudible) Hansard.

MR. P. ROBERTS: I am addressing the Chair. I do not know whether the member for Bonavista South (Mr. Morgan) -

MR. Morgan: (Inaudible)

MR. P. ROBERTS: -well, Mr. Speaker, I would say -

MR. SPEAKER: (SIMMS) Order, please! The hon. member for the Strait of Belle Isle has some argument on the point of order.

MR. ROBERTS: I would say to the gentleman for Bonavista South that I have a right to be heard in silence, just as the hon. gentleman opposite has a right to speak in silence.

AN HON. MEMBER: (Inaudible) Premier.

MR. P. ROBERTS: Mr. Speaker, I would submit there is no point of order raised. The gentleman from Windsor - Buchans

MR. E. ROBERTS: is not venturing into the realm of debate but I would add, speaking for those of us on this side, that if the Premier would like to debate the matter, we would be quite happy to do so. Today is a government day and all the government have to do is to put the appropriate motion down, we will consent to it being debated today, we will be quite happy to debate the government's role with respect to what is going on in Buchans these days.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: (Sinms) With respect to the point of order, the traditions and as well the references in Beauchesne are quite clear in that the person responding to a ministerial statement generally in practice in this House at least was about half the amount of time that the minister has used in presenting his statement, and as well the purpose of his statement is not to encourage debate, therefore I would ask the hon. member for Windsor - Buchans to continue and to make his comments pertinent to the ministerial statement.

SOME HON. MEMBERS: Hear, hear.

MR. G. FLIGHT: Mr. Speaker, I contend there was no point of order. I said in standing that I was addressing myself to the last half of the statement.

MR. D. ROBERTS: There was no point of order.

MR. G. FLIGHT: And the minister would have to know what is going on in Buchans, and I will wind up my address to this particular part of the statement by simply saying it was indefensible, it is not defensible that no member of the Cabinet, the Premier saw fit not only to not attend himself, but not to allow any member of Cabinet to attend that meeting, Mr. Speaker, given the situation in Buchans, given the fact that the President of Abitibi could travel from Toronto, that he felt that the need was for him to travel from Toronto, what not a minister saw fit to attend that meeting. And the weak, lame excuses that were received by way of messenger from Ministers indicating,

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MR. G. FLIGHT: to the people of Suchans that the House stayed open until 6:00 p.m. so they could not attend.

SOME HON. MEMBERS: Hear, hear.

MR. G. FLIGHT: That is enough on that issue, Mr. Speaker. It is indefensible, inexcusable, there is just no justification for it.

MR. FLIGHT: Now, Mr. Speaker, with regard to the exploration, I would say to the minister that in his statement he says "in 1979 exploration expenditures are approximately \$900,000 in 1940, expenditures on exploration should more than double." Well, I do not know if the minister is - and he says that he welcomes the increase in exploration. In the 1950s and 1960s, ASARCO alone was spending half a million dollars and the minister talks about increase in exploration? I would like to know what the expenditure of ASARCO would have been at the devaluated dollar rate back in the late 1950s and the 1960s if he thinks that \$1 million is a lot of money to spend today. They were spending anywhere from \$400,000 to \$600,000 per year and the exploration is now going on in the same areas.

MR. HEARY: Hear, hear!

MR. FLIGHT: The minister made a statement a week ago with regard to the exploration on Tally Pond. Now there was a significance in Tally Pond. ASARCO pulled out of Tally Pond twenty years ago - going to spend \$100,000.

MR. SAPPY: Mr. Speaker, is there going to be a debate on this?

MR. FLIGHT: There is no debate here, Mr. Speaker. I am addressing myself to this statement re exploration in the Buchans area.

MR. SPEAKER: (Simms) Order, Please!

I would like to remind the hon. member again about the tradition on the comments that I made earlier. The purpose in responding to a Ministerial Statement is to make a few brief comments and, generally, the member responding is entitled to about half the time of the minister in presenting his statement. I feel the member for Windsor-Buchans (Mr. Flight) is reaching that point. He may conclude his remarks.

MR. FLIGHT: Thank you, Mr. Speaker. In closing up my remarks, I would like to ask the minister a question based on his statement. Why is the minister allowing Alberta-Price 83 oil co., to not develop, not bring into production a designated area with a million

MR. FLIGHT: tons of fairly high grade copper with the markets the way they are today? Why has that ore body not been brought into production, which, if brought into production would have the effect of extending the life expectancy of the mines, complementing the operations there now? Why are we talking about going into new areas altogether when we know they are sitting on ore bodies that are mineable. And as far as the barite is concerned, Mr. Speaker, that has been an off-again, on-again thing for -

MR. BARRY: (Inaudible) statement.

MR. FLIGHT: That is the last half of the statement. He says, 'I want to refer to the pilot project to produce barite at Buchans.'

PREMIER PECKFORD: Mr. Speaker, a point of order.

MR. SPEAKER: (Simms) A point of order, the hon. the Premier.

SOME NON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER PECKFORD: I think you have indicated, Mr. Speaker, in your previous ruling, that when Ministerial Statements are being made, that the member responding to the Ministerial Statement is given about half an hour that there is for the minister, the member representing the government making the statement. Now, I submit, Mr. Speaker, if that is the rule that is applying as it relates to Ministerial Statements, that the hon. the member for Windsor-Buchans (Mr. Flight) has more than used up the time, and has therefore abused the rule that the Speaker has laid down. I think we must be fair in these matters and I am sure the hon. the member for Windsor-Buchans understands. I mean, if every time a minister from the government who is making a statement makes it clear, has the courtesy to give a copy of it to the member of the Opposition beforehand, then it is only fair that the member from the Opposition have the courtesy to recognize

PREMIER PECKFORD: the normal standards of procedure that operate as it relates to Ministerial Statements.

MR. NEARY: You are not the Speaker.

MR. SPEAKER (Simms): To the point of order, the hon. member for the Strait of Belle Isle.

MR. ROBERTS: Mr. Speaker, I will be very brief. Your Honour has made a ruling and I think the Premier has correctly stated it. In case Your Honour had not remembered the ruling, it is now stated again. Your Honour directed my colleague from Windsor-Buchans (Mr. Flight) to bring his remarks to a close and, as I heard my hon. friend, he was bringing his remarks to a close, perhaps with a degree of prolixity. But the Premier, Sir, is no stranger to prolixity, I would suggest to the House.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: And I would suggest to my hon. friend that the House's work would get ahead much quicker if my hon. friend for Windsor-Buchans (Mr. Flight) be allowed to finish -

AN HON. MEMBER: Hear, hear!

MR. ROBERTS: - pursuant to Your Honour's ruling which I think he was genuinely and honestly and honourably trying to observe.

MR. NEARY: And not be so rudely -

MR. BARRY: To the point of order, Mr. Speaker.

MR. SPEAKER: To the point of order, the hon.

Minister of Mines and Energy.

MR. BARRY: I would just like to say that the matter which the hon. member for Windsor-Buchans (Mr. Flight) is drawing out, extending, and I would say abusing the rules of this House in so drawing out his response to the statement, is an indication of the blatantly, politically partisan approach that he has had to the Buchans problem ever since I have been minister, and I have to confess -

MR. MORGAN: That is right. That is right. The last three years the same thing.

MR. BARRY: - it is only since July, but I am beginning to despair, Mr. Speaker, of getting any form of co-operation

MR. BARRY: from the hon. member opposite into the genuine attempt by this government to improve the situation of the people of Buchans.

MR. MORGAN: He wants to play politics all the time.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Order, please! With respect to the point of order, I thank hon. members for their argument. The point of order raised is whether or not the hon. member for Windsor-Buchans (Mr. Flight) has any time remaining to respond to the ministerial statement. I will allow the hon. member ten seconds to clue up his remarks.

The hon. member for Windsor-Buchans.

MR. FLIGHT: Mr. Speaker, in cluing up my remarks, I want to say to the hon. minister that it is not criticism that the people in Buchans feel towards this Cabinet, it is disgust.

SOME HON. MEMBERS: Hear, hear!

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MR. FLIGHT: A point of order, Mr. Speaker.

MR. SPEAKER (Simms): A point of order. The hon. member for Windsor-Buchans.

My point of order, Mr. Speaker, is that I want to raise a point of order based on the charges of the Minister of Mines and Energy (Mr. Barry) a minute ago in that he said in effect that I was using the Buchans situation as a partisan -

AN HON. MEMBER: He questioned your motives. Yes.

MR. FLIGHT: He questioned my motives, using the Buchans situation for a partisan, political point of view.

MR. RIDEOUT: Withdraw them.

MR. FLIGHT: And I want to say to the minister, Mr. Speaker, to my point of order -

SOME HON. MEMBERS: Oh, oh!

MR. FLIGHT: - I want to say to him that if he wanted to know what partisan, political, misuse of a situation was, then he should

MR. FLIGHT: have been present when the present Premier made his incredible performance in Buchans a year ago. That is the worst time that ever the Buchans situation was used from a political, partisanship point of view. And, Mr. Speaker, inasfar as that minister despairing -

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Order, please! Order, please!

If the hon. member has a point of order, I would ask him to state what his point of order is.

MR. FLIGHT: My point of order is, Mr. Speaker, that the minister has questioned my motives with regards to my making certain comments with regard to the Buchans situation. And Mr. Speaker, inasfar as that minister - in his point of order he said he despaired, he despaired of expecting any co-operation from me. Well, I can tell that minister, Mr. Speaker, that he does not despair of expecting any co-operation from me to the

MR. G. FLIGHT:

sare point that the people of Buchans and Central Newfoundland have come to despair of ever receiving any co-operation from him and his Premier.

MR. SPEAKER: (SIMS)

Order, please!

With respect to the point of order raised, I do not believe I really need to hear any other argument. I believe it is clearly a difference of opinion between two hon. members.

ORAL QUESTIONS

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. D. JAMIESON:

Mr. Speaker, I have a question for the hon. the Premier. In view of the statements yesterday by the Federal Minister of Fisheries (Mr. McGrath) and by the Prime Minister of Canada, the Rt. Hon. Mr. Clark, which in effect returned the gauntlet, if you wish, with regard to the statement of the hon. the Premier, had it in any way modified the position which he declared on behalf of the Government of Newfoundland on Tuesday? In other words, is the situation any different now in his judgement as a result of the statements made by these two leading figures in the Government of Canada?

MR. SPEAKER:

The hon. the Premier.

FRENK PECKFORD:

Mr. Speaker, the direct answer to the question posed by the Leader of the Opposition is no, it has not, obviously on the floor of the House of Commons and the parliament under questioning by other members. I guess mostly from the Opposition on the matter, a number of statements were made by the Federal Minister of Fisheries and Oceans and by the Prime Minister, but it has not in any way changed the resolve of this government to move ahead aggressively to try to persuade the federal authorities, all the way up to the Prime Minister and the people of the Province and of Canada generally, that our case is a sound and a reasonable one and one which we intend to pursue with all vigor.

MR. D. JAMIESON:

A supplementary, Mr. Speaker.

MR. SPEAKER: (SIMMS)

the Opposition.

A supplementary, the hon. the Leader of

MR. D. JAMIESON:

Given that position, Mr. Speaker, and I can understand that the Premier would obviously not see what I might describe as withdrawal or retreat on what was said in Ottawa yesterday, what are the next steps to be? Is there any avenue being explored? Has anybody suggested either from this side, meaning Newfoundland, or from Ottawa that there be a reopening of discussions or have we in fact reached a stalemate for all practical purposes given, the statements that were made both here and in Ottawa?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Well, Mr. Speaker, we are presently, Cabinet and a number of other people who are talking to me, we are in the process of developing a strategy. But I think it is fair to say that we will be talking to members of the government in Ottawa. It is not a stalemate in the sense of discussions and ongoing negotiations on this point. And the economic conference that is coming up very shortly is going to provide us with an additional opportunity both to talk to the Prime Minister privately and to some of the Newfoundland Ministers as well as the other ministers on this matter. But we are developing an overall strategy on it. I must say I am almost forced to say that I really do not like to get into the numbers game, but I feel almost obligated to respond, if I can save the license very briefly, just to say that the

Premier Peckford: Minister of Fisheries and Oceans (Mr. McGrath) comment as it relates to the 92 per cent or the 90 per cent of the fish caught when one gets into figures again, which we do not want to get into because it is a matter of principle, 56 per cent of the fish, so-called Northern cod, went inshore in 1979. And that is a disasterous figure, only 56 per cent went inshore. And the kernel of the policy of the Government of Newfoundland is inshore at least 85 per cent, that is minimum. In the first instance all the fish inshore, and if it can be demonstrated scientifically, irrefutable evidence, that there is some so-called surplus, then we look at it, and we do not think that that exists at the present time.

MR. JAMIESON: A supplementary.

MR. SPEAKER (SIMMS): A supplementary, the hon. Leader of the Opposition.

MR. JAMIESON: I thank the Premier for his answer. When he talked on Tuesday about using all of the weapons at the disposal of Newfoundland vis-a-vis Mainland companies, one of the questions I would like to ask in that regard is that since it has been the policy of the Government of Canada, and it was referred to in a different context though it is still confirmed, that they will consult on foreign investment review applications and also on DREE incentive grants, is it conceivable to the Premier that in fact the Government of Newfoundland would withhold its consent or its recommendation for approval for DREE grants with regard to fish plants being established in Newfoundland? And I ask it not in a theoretical way, because I understand that if there are not some now before the Government of Canada, there may well be in the near future. And I think this is quite an important issue at this present time.

MR. SPEAKER: The hon. Premier.

PREMIER PECKFORD: I appreciate the question, Mr. Speaker.

In the ensuing days and weeks we intend to sit down with the companies that are doing business in Newfoundland and explain our position fully and responsibly and all the rest of it, and also with the federal Government and the Federal authorities. We hope, of course, that after those immediate discussions have been held that there will not be any

Premier Peckford: necessity for us to take that kind of action. Of course, that is another lever really that is at our disposal; we will not use any levers only in a very responsible fashion. But we are strong in our view about this whole question of Mainland companies doing business here, who, you know, at the same time want to do other things in other places, and perhaps jeopardize our inshore fishery in the bargain. And so, therefore, we are going to be tough. But in the first instance, our sort of plan of approach on this is to sit down with the companies and with the federal authorities. If, in fact, over the next month or so, there is still, if you will, a stalemate in the aims and objectives as we perceive them by the companies and ourselves, then those additional levers could very well be used.

MR. JAMIESON: A final supplementary.

MR. SPEAKER (SIMMS): A final supplementary, the hon. Leader of the Opposition.

MR. JAMIESON: By way of preamble, if the Speaker will permit, I mentioned that this was not hypothetical, I have been advised privately that indeed there are some operations presently being contemplated by Mainland companies and that these may now be in a sense in a state of suspension. Perhaps I could put my question to the Premier directly by saying that is it in fact the case that until or unless this impasse or this stalemate is broken, that if there is a DREE application, for instance, presently pending - I am trying to get at what point the Government of

MR. JAMIESON:

Newfoundland says, "We are going to withhold our approval" and therefore put the onus on the federal government to decide whether they are going to agree with it or not? I am sure the Premier understands my question. I hope I have made it clear.

PREMIER BECKEFCOP:

I am fully aware of the applications outstanding in the intentions, very current, of certain companies to do certain things in various coastal communities around the Province. I am very, very aware of it. And all I can say to the Leader of the Opposition right now is give him a general answer to the question, because in the first instance we want to sit down with the companies involved and discuss with them and go over with them what our concerns are and we want to see what their reaction is. I understand there are meetings underway already internally in those companies and they will be sitting down with us very, very shortly and it is only after that point in time that I would be somewhat more specific, until I get a better feel for the inter-relationships between us now as a result of yesterday's statement.

MR. HODDER:

A supplementary, Mr. Speaker.

MR. SPEAKER: (Simms)

A supplementary. The hon. member for Port au Port followed by the hon. member for LaPoile.

MR. HODDER:

Mr. Speaker, a supplementary on the Premier's mention of sanctions. As a result of the supplementary, when I listened to the statement that he made the other day, I was a little worried. For instance, in the district of Port au Port one of the companies mentioned has a marginally - I do not think it is even a profitable operation which gives about 200 jobs in the summertime. And when the Premier mentions the fact that if negotiations do not work properly other steps will have to be taken, is the Premier aware that - and it is a great concern of mine - that operations of that nature which employ people in some of the rural areas of the Province may be jeopardized as well?

MR. SPEAKER: (Simms)

The hon. the Premier.

PREMIER PECKFORD:

I am aware of what the hon. member is indicating and I can assure the hon. member that we will be talking to all the companies involved and assessing each one on its own merits, if you will, in the various parts of the Province. I am aware of what the hon. member is talking about exactly as it relates to his own area. I have been in that area and know the kind of operations that he is talking about. In the first instance it is government's intention to proceed with talking to the companies first and developing it from there rather than any other way of doing it. I think it will be important get a feel for just how some of these companies, so-called Mainland, and how they perceive themselves in light of our statement and to develop rules and regulations and a plan of procedure from there.

MR. SPEAKER:

A new question. The hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, my question is for the Minister of Transportation and Communications. In view of the number of fatalities and accidents that are taking place on the Trans-Canada Highway in the last several months, and in view of the fact that a substantial number of these accidents involve Mainland tractor trailers, would the hon. minister tell the House if he has made a study of the situation to determine whether or not the tractor trailers are a real hazard on the Trans-Canada Highway and what action has the hon. gentleman taken to try and cut down the number of accidents on the Trans-Canada Highway involving Mainland tractor trailers?

MR. SPEAKER (Simms):
Communications.

The hon. Minister of Transportation and

MR. BRETT:
Mr. Speaker, approximately.

Forty-odd million dollars worth of action,

AN HON. MEMBER:

(Inaudible).

MR. BRETT:

No, the hon. member asked me what action has been taken to cut down on accidents on the Trans-Canada Highway.

MR. JAMIESON:

I am sorry. I am sorry, my fault.

MR. BRETT:

I said, 'Forty-odd million dollars worth.'
I guess it is safe to assume that a tractor trailer on a highway takes up more room and probably somebody approaching one would have to exercise a little bit more caution. To reiterate what I said, there are forty-odd million dollars worth of improvements made in the Trans-Canada Highway on the last two years. Most of the highway has been rebuilt. There are now holding lanes which were not there before and I would like to think that this improvement, this adding the third lane, would make it much safer for tractor trailers.

MR. NEARY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. member for LaPoile.

MR. NEARY:

One of the accidents involving one of my constituents was a part of that \$40 million that the hon. gentleman mentioned, where they were upgrading the highway. One of my constituents was killed by a Mainland tractor trailer. And the hon. gentleman need not try to shrug it off by playing political games with us. This is a very serious matter. I would like to ask the hon. gentleman if he has taken any action to have Mainland tractor trailers, the drivers, the tractor trailers stopped in Port aux Basques when they come off the ferry to see if the drivers have had their proper rest or if they had been drinking, or if they are high on drugs coming off the ferry? The tractor trailers, as I understand it, can come in here, drive off the ferry and they are never

MR. NEARY: ever checked. I would like to ask the hon. gentleman if he has ever looked into that matter. That is pretty serious, and the people, especially West of Corner Brook, know how serious and what a hazard these tractor trailers are on the highway.

MR. SPEAKER (Simms): The hon. Minister of Transportation and Communications.

MR. BRETT: Mr. Speaker, we have a very competent force, known as the RCMP, in the Province and I would assume that they are doing a very good job in that respect.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: A final supplementary, Mr. Speaker.

MR. SPEAKER: A final supplementary, the hon. member for LaPoile.

MR. NEARY: I am glad the hon. gentleman raised that matter because that was my next question, Sir. As members know, these tractor trailers have the radios - what do they call them?

AN HON. MEMBER: CBs.

MR. NEARY: CBs, they have the CBs. And they call ahead to each other and tell them where the RCMP are, if they are indeed on the highway. And I would submit to the hon. member that the RCMP are non-existent as far as these tractor trailers are concerned.

MR. BARRY: (Inaudible) you must spend all your time watching BJ and the Bear (inaudible).

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: It is really, really, very funny. The hon. school boy debater thinks the people getting killed on the Trans-Canada is really really funny, and the accidents.

So I would like to ask the hon. gentleman if he is aware of the fact that the tractor trailers, through these radios communicating to one another, calling ahead, practically make the RCMP non-existent on the Trans-Canada Highway, and what is the hon.

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MR. NEARY: gentleman going to do about that?

MR. SPEAKER (Simms): The hon. Minister of Transportation
and Communications.

MR. BRETT: Mr. Speaker, I would suggest that
the hon. member direct his question to the appropriate department,
the Federal government, since they licence these CB radios
or whatever they are called.

I acknowledge the fact

MR. BRETT: that this is happening. It is not only happening in Newfoundland, it is happening all over Canada, all over the United States, and I do not think there is very much that I, as the Minister of Transportation and Communications in Newfoundland, can do about it.

MR. SPEAKER: (Simms) The hon. the member for the Strait of Belle Isle.

MR. ROBERTS: Mr. Speaker, thank you. A question, if I might, to the Acting Minister of Fisheries. He will recall that he wrote me three or four days ago, both directly and through the agency of his deputy minister, Mr. Slade, to say that his department had approved the proposal by the Nickerson group - I think they are acting through the agency of and in the name of the T. J. Hardy firm in Port aux Basques, and I believe they have an ownership interest in the Hardy firm - but he will recall that he told me that insofar as it was within the government of the Province's power so to do, they had given permission to the Nickerson group to go ahead with the proposal to develop a very large fish plant at St. Barbe. And I might add, as the minister would agree, that is something that is devoutly to be wished by people in that area. I might also add, as the minister will concur, that the fish to go into that plant in part will have to come from offshore. Part will come from within the area, you know, going into presently existing plants.

My question, Sir, is quite simply this, Could the minister tell us where that application now stands insofar as it is within the Province's purview, where it now stands given the situation disclosed by the Premier in his statement here in the House on Tuesday, which has been, of course, commented upon subsequently?

MR. SPEAKER: The Minister of Fisheries (Acting).

MR. GOUDIE: Mr. Speaker, no, I am sorry. I cannot tell the hon. member where that particular application stands. As the Premier has indicated, there are some ongoing meetings with various interest groups at this point in time, in addition to the review process on the Loans Board and this kind of thing. So the whole area is being looked at.

MR. GOUDIE: I can, however, if the hon. member wishes, get the information for him specifically and write him privately, or present it in the House, depending.

MR. ROBERTS: Mr. Speaker, a supplementary.

MR. SPEAKER: (Simms) A supplementary, the hon. the member for the Strait of Belle Isle.

MR. ROBERTS: Thank you, Your Honour. I would be grateful if the minister would, and I will leave it to him whether he wishes to say something publicly or whether he wishes simply to write to me. But I wonder if he could tell us whether there is any possibility, or perhaps I could use the word whether there is any 'danger' that the government of the Province might withdraw the permission which they have given - they have given permission, I have it from the minister and I accept it as such - whether there is a danger that the government might withdraw the permission they have given to go ahead with this project, which, I might say, was prepared to go ahead except that DRZE, on the advice, I understand, of the federal fisheries stopped it. But now, given the most recent situation to develop, as outlined by the Premier the other day, is there a possibility the government might withdraw its permission and thus, the Province, for its part, try to stop that project?

MR. SPEAKER: The hon. the Minister of Fisheries (acting).

MR. GOUDIE: At this point in time, Mr. Speaker, I really cannot provide a definitive answer to that particular question, but I will discuss it a little bit further, perhaps, with the Premier and see what comes out of that.

MR. SPEAKER(Simms): The hon. the member for St. Barbe followed by the hon. the member for Windsor - Buchans.

MR. BENNETT: Mr. Speaker, my question is directed to the Acting Minister of Fisheries. While I realize it is a federal regulation governing the lobster fishery around the Province I also feel it touches on the human element of the whole Province, the regulation governing lobsters for the upcoming season. I have many, many letters from my district and, indeed, other areas showing grave concern about the upcoming season, in the Spring. At this time people are preparing for the Spring lobster season. They are asking the question and I have to echo the question for them. They are wondering, Mr. Speaker, if government, federal, that is, are indeed destroying people in the rural districts of Newfoundland in their efforts to save the lobster fishery.

I have a letter here that can be tabled. Some of the things -

MR. SPEAKER: Order, please!

If the hon. member has a question, I would direct him to ask the question.

MR. BENNETT: Thank you, Mr. Speaker. My question is directed to the Acting Minister of Fisheries. Does the acting minister have a line of communication with his federal counterpart in the effort to soften the blow inflicted by the new federal regulation on lobster licencing? Have you consulted with your federal counterpart and do you agree? - number one. Number two, is any effort being made to compensate fishermen for their loss in surplus inventory? Number three, is there an effort being made to include the newly created unemployed fishermen in the work force?

MR. SPEAKER: Order, please!

The hon. member has obviously asked three questions there in one. Does the hon. the minister wish to respond?

MR. COUDIE: Mr. Speaker, if I can answer one part of the question, there is still a line of communication between

MR. GOUDIE: this Province and the federal government in relation to fisheries matters. It may be somewhat clouded at the moment, but the line of communication is there.

What I would prefer to do, if the hon. member would agree, is to meet with him privately following Question Period and get the details as he outlined there and provide a more satisfactory answer, perhaps privately, or for the House, whichever he prefers.

MR. NEARY: In the House. It was asked in the House.

MR. SPEAKER(Simms): The hon. the member for Windsor-Buchans.

MR. FLIGHT: Mr. Speaker, my question is to the hon. the Premier. In view of the fact that neither he nor a Cabinet minister was present at the meeting in Buchans to explain the government's position on the Buchans - Southwest Brook road,

Mr. Flight: and in view of the apparent contradiction that has been taking place between himself and his Minister of Transportation and Communications (Mr. Brett) - about a month ago the Minister of Transportation and Communications in a meeting with the Action Committee stated that the Buchans-Burgeo-Southwest Brook Road was not a priority, that they were looking at the Buchans-Howley Road, and they would do a cost analysis. A month later - the minister said that publicly, in case he forgets - about a month later the Premier on the West Coast in Stephenville in an interview with CBC indicated that the Buchans-Southwest Road was indeed a priority, that -

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: - one day it would be the second Trans-Canada-

SOME HON. MEMBERS: Hear, hear!

AN HON. MEMBER: He did say that.

MR. FLIGHT: - that anyone moving goods across this Province would obviously want to use a shorter route and that would obviously be the Buchans-Burgeo-Southwest Brook Road, and that it would obviously get priority on the DREE shopping list.

AN HON. MEMBER: (Inaudible).

MR. SPEAKER (SIMMS): Order, please! If the hon. member has a question, I would direct him to ask his question.

MR. FLIGHT: In view of that, Mr. Speaker, performance by the Minister of Transportation and Communications, and in view of the Premier's comments re that road, and he knows how much that road means to Central Newfoundland in general, and Buchans in particular, would he indicate his government's position, today's position, with regard to Buchans-Burgeo-Southwest Brook Road?

MR. SPEAKER: The hon. Premier.

PREMIER PECKFORD: It is a very excellent question, Mr. Speaker, and will take a long while to answer, and I will over the next number of days, with the Minister of Transportation and Communications and in our overall programme of transportation around the Province will be letting the hon. member know and this House know just exactly how we intend to

Premier Peckford: proceed on transportation matters which impact upon Buchans and the West Coast as other parts of the Province as well. And I thank the hon. member for his question.

SOME HON. MEMBERS: Hear, hear!

MR. FLIGHT: A supplementary, Mr. Speaker.

MR. SPEAKER (SIMMS): A supplementary, the hon. member for Windsor-Buchans.

MR. FLIGHT: I will direct the question to the minister, but it would probably be better answered by the Minister of Transportation, in view of the headlines in The Daily News today. And I am wondering why it was that if there was indeed a \$40 million surplus in capital monies left in Transportation last year while the minister and Cabinet was holding out the hope to the people of Buchans that some work would be done on that road, why was it not that some of that \$40 million surplus was not spent in extending the contract, the three and a half mile contract that is presently being finished by Chalk Construction on that particular road?

SOME HON. MEMBERS: Shame!

MR. FLIGHT: Why was not some of that \$40 million spent there instead of being left in Ottawa where it will serve no purpose at this point?

MR. SPEAKER: The hon. Minister for Transportation and Communications.

MR. BRETT: Mr. Speaker, I welcome the opportunity to answer that question, because there is some misunderstanding probably as a result of the headline. There was not \$40 million left over in Transportation and Communications funds. That \$40 million was not in this year's Budget, these funds were not committed. They will be coming from Ottawa in the next fiscal year. Not actually left over. The funds are not in the Province. They will be coming next year. So there is no money left over. There is no such a thing. This is funds that have been committed by the Federal Government through DREE and through TCH which will be forthcoming next year and be spent next year.

- SOME HON. MEMBERS: Hear, hear!
- MR. FLIGHT: A final supplementary, Mr. Speaker.
- MR. SPEAKER (SIMMS): A final supplementary, the hon. member for Windsor-Buchans, followed by the hon. member for Eagle River (Mr. Hiscock).
- MR. FLIGHT: To the Minister of Transportation (Mr. Brett), Mr. Speaker, in view of the fact that the Province funded and built about five miles of that particular road about six years ago, and then had a six year gap, and this year did another three and a half miles, can the minister indicate to the House when the next contract will be called on that particular end of the Buchans-Southwest Brook Road?
- MR. SPEAKER: The hon. Minister for Transportation and Communications.
- MR. BRETT: The Premier has already indicated, Mr. Speaker, that we will be in touch with the hon. member when we decide exactly what -
- MR. FLIGHT: Eight miles in over six years.
- MR. BRETT: - route that road is going to take.
- MR. SPEAKER: The hon. member for Eagle River.
- MR. HISCOCK: I would like to direct my question to the Minister of Transportation and Communications. It was brought up in this House about two weeks ago; I also brought it up earlier this week with regard to the ferry across the Straits of Belle Isle. In a statement today made by Mr. Puddister who runs the Northern Cruiser he ended up saying that it will be closed down December 11, and the reason why it will close down December 11 instead of December 15 basically is because of the early season, that it operated this year it opened. Has the Minister of Transportation and Communications received any correspondence from Mr. Mazankowski on this matter? And basically what is the result of this communication?
- MR. SPEAKER: The hon. Minister for Transportation and Communications.
- MR. BRETT: I was in touch with Mr. Mazankowski by telephone, Mr. Speaker. Unfortunately a decision has been made not to extend the ferry beyond the deadline as indicated in the paper. I

Mr. Brett: am just as much disappointed over this decision as the hon. member is. I think again it is a matter of dollars and cents. The subsidy from now on will be something in excess of \$400-and-some-odd per person. I guess I can do no more than ask, Mr. Speaker, but they have indicated that they will not be extending the deadline.

SOME HON. MEMBERS: Oh, oh!

MR. HISCOCK: A supplementary, Mr. Speaker.

MR. SPEAKER: (Simms)
for Eagle River.

A supplementary, the hon. the member

MR. HISCOCK: With regard to the ferry across the Strait of Belle Isle, where it was serviced by CN before, at least with CN they could get the service up to the end - or the beginning of January. I would like to ask the question, Is this a matter of priority when the Minister of Transportation and Communications (Mr. Brett) goes to see Mr. Mazankowski in his second meeting? - because in his first meeting I believe he was quoted in The Evening Telegram as saying that with regard to ferry service in Newfoundland, that topic was not brought up because basically we have an excellent ferry service in Newfoundland and Labrador. Is this going to be a priority to get that extended again for next year or in the future?

MR. SPEAKER: The hon. the Minister of Transportation and Communications.

MR. BRETT: Ferry services all over the Province, Mr. Speaker, are very much a priority with this government. In another two or three years - I am not sure how long - we are going to have to take over the total cost of the ferry system in the Province, thanks to the previous Liberal administration in Ottawa, so it is very high priority and we are going to have to come up with some policy. So the ferry across the Strait of Belle Isle has high priority as do all ferries in the Province.

MR. HISCOCK: Mr. Speaker, a final supplementary.

MR. SPEAKER: A final supplementary, the hon. the member for Eagle River.

MR. HISCOCK: Is the Minister of Transportation and Communications aware that this is the only physical link that Labrador has with Newfoundland? And has he also informed Mr. Mazankowski of the frustration the people in Labrador have with regard to trying to communicate back and forth to the Island?

MR. SPEAKER: The hon. the member for LaFolle.

MR. NEARY: Mr. Speaker, my question is for the Minister of Labour and Manpower (Mr. Dinn), Sir. Would the hon. gentleman tell the House why he found it necessary to blast the Steelworkers president in Wabush over an issue that they were fighting, that they were quite justified in going public on? Maybe I should direct it to the Premier. What does the Premier think of his minister attacking the president of the Steelworkers in Wabush who is fighting for the rights of the employees of the Wabush Mining Company?

MR. SPEAKER: (Simms) The hon. the Premier.

PREMIER PECKFORD: The Minister of Labour and Manpower is quite capable of looking after himself and in answering the questions along those lines that the hon. member would like to put.

MR. FLIGHT: Mr. Speaker, a supplementary.

MR. SPEAKER: A final supplementary, the hon. the member for Windsor - Buchans.

MR. FLIGHT: Mr. Speaker, I would like to ask the Premier what he thinks of his minister criticizing the chairman of the Action Committee in Buchans, along the same line?

MR. SPEAKER: The hon. the Premier.

MR. MORGAN: Boy, what a waste of time!

PREMIER PECKFORD: It is quite unfortunate, as the Minister of Lands and Forests (Mr. Morgan) is pointing out, that the members of the Opposition cannot find - there are so many critical issues on which there needs to be some debate and questions and answers in this hon. House, and to think that we have to waste the time of all members on this very silly, foolish kind of questioning is unbelievable, Mr. Speaker.

MR. SPEAKER: Order, please!

The time for Oral Questions has expired.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: I would like to welcome to the gallery today, on behalf of all hon. members, Mr. Noah Genge and several members of the Anchor Point community council.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: (Simms) I would also like to welcome to the galleries this afternoon, seventeen students of the Newfoundland Youth Hostels Association from the James Cook Memorial School, Cook's Harbour. They are accompanied by their teacher, Mr. Kendall, and the co-ordinator, Miss Sheila Fitzpatrick.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: And I wish to welcome to the galleries on behalf of all hon. members, the Mayor of the town of Windsor, Mr. Clarence King, and also welcome a former member of this hon. House and former Cabinet minister, Mr. Clyde Wells.

SOME HON. MEMBERS: Hear, hear!

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The hon. the Minister of Rural, Agricultural and Northern Development.

MR. GOUDIE: Thank you, Mr. Speaker.

I would like to table the financial statement certified by the Auditor General on the report of the Farm Development Loan Board for the financial year, April 1, 1978 to March 31, 1979.

MR. SPEAKER: May I also take this opportunity to welcome on behalf of hon. members, another former member of this hon. House, Mr. Mike Martin, who is in the galleries today.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: I have also been requested - and I am happy to do so on behalf of all hon. members - to extend a welcome to the executive of the Association of Municipal Administrators, who are in the galleries today.

SOME HON. MEMBERS: Hear, hear!

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN:

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I would just like to respond to the question put to me yesterday by the hon. member for Port au Port (Mr. Hoddar) as related to the information flow on subsidies and whether in fact, because the information had not been out to some fishermen, would they therefore be penalized in not knowing just the same as those would be who did know and so on?

I have checked this out with officials of the Department of Fisheries and we are very aware of the problem and the fisheries officers in the respective areas, representing the Department of Fisheries are trying to do it sort of on an individual basis and are conscious of it and will take the necessary action to ensure that nobody is penalized as a result of not having the information at their disposal at the time. We are trying to handle it on an individual basis and the thing for fishermen to do in the respective areas, and if hon. members get calls is to try to direct them to the local representative who will then investigate and make a report and payment or otherwise would be forthcoming. So we are on top of it and we will do what we can to assist.

PRESENTING PETITIONS:

MR. SPEAKER: The hon. member for Eagle River.

MR. HISCOCK: Mr. Speaker, I would like to present a petition on behalf of the residents of Pinsent Arm, Labrador. The prayer of the petition is that, "We, the undersigned, petition the Department of Mines and Energy and Resources for a transmission line from Charlottetown to Pinsent Arm!"

I would like to draw to the attention of this House that Pinsent Arm is also a permanent community that has no diesel generator but private generators themselves. Also, it is one of the most expanding communities on that part of the coast becoming a collecting agency for fishery products. In actual fact,

MR. HISCOCK: this community now is becoming basically the focal point for that area for collecting for Fishery Products so much that Canada Works projects are giving an extension to the wharf there this year totally something like \$50,000.

MR. BARRY: How many permanent residents are there?

MR. HISCOCK: Permanent - 31 adult residents have signed this petition.

MR. BARRY: How many customers?

MR. HISCOCK: Customers would be at least, would be twelve to thirteen permanent houses as well as schools in that area.

MR. BARRY: The condition is that there be sixteen customers in order to qualify for service.

MR. HISCOCK: I would like to bring that to the attention of this House whether it be a condition of Newfoundland Hydro power in this Island to say that the condition is that we must have 16 or 300 or 400 families. I would like to bring to the attention of this House that the reason why we have Labrador is because of the people from the South Coast of Labrador and the reason why we have the Churchill Falls and lower development as well as Kitts-Michelin, and as well as other development. To be able to turn around and say to the people in Pinsent Arm that the people are permanent residents, that they cannot have this for some mere technicality is the reason why I am presenting this. They are quite aware of the technicality that Newfoundland Hydro has I am begging a petition from this House that we waiver this regulation and give the people of Pinsent Arm, who are bringing new dollars into this Province, and basically give them the right that they deserve from other parts of the area.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, it gives me great pleasure to speak to the petition so ably presented in this House by my hon. colleague, the member for Eagle River (Mr. Hiscock).

The hon. member made a very strong plea and a strong case for Newfoundland Hydro to move in there and to give these people electricity. They are now using private diesel generators which must be tremendously expensive to the individual homeowner. The key to what my hon. friend said in presenting his case is that this is a growing community. Mr. Speaker, you know, over the years, being in public life, I am have encountered this situation on a number of occasions. Down in Cape Ray in my own district, I had an ongoing battle with Newfoundland Light and Power Company for several years, trying to get them to run a line into two homes that were there, and they kept arguing that there is not - they wanted \$12,000 from these two homeowners and I kept telling them, "Look, put your line in there and this area will grow. You will get more houses there than you dreamed of." So, eventually, they caved in and they put in the line and now the area is growing. And the same thing in -

AN HON. MEMBER: Four houses have been built this year.

MR. NEARY: That is right, four new houses built

MR. S. HEARY: this year, I am told by the hon. member. It is a penny-wise and pound foolish policy that the Newfoundland Hydro has that you have to have a minimum of sixteen homes. This is a growing community and involved in our most basic industry, the fishery.

Mr. Speaker, I would submit that the hon. Minister of Mines and Energy (Mr. L. Barry) have a talk to the Newfoundland Hydro people to see if they can not put the electricity in there. This, obviously, is going to be a up and coming community. Mr. Speaker, again it may sound so small to this administration, if you are not talking about oil, offshore oil drilling with this crowd, they do not seem to be very sensitive or they do not seem to respond.

MR. SPEAKER: (Mr. Simms) Order, please! The hon. member must keep his remarks pertinent to the petition.

MR. S. HEARY: I hope that the hon. gentleman will get up and have a few words and tell the member on behalf of thirty-one people who signed that petition that that electricity is going to be brought into that community.

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

MR. L. BARRY: Mr. Speaker, I am quite sympathetic to the thrust of the petition presented by the hon. member. The policy that is laid down is not laid down by Newfoundland Hydro, it was a policy that was laid down by government a number of years ago that a certain number of customers - and I have to confess my memory must be failing me, I thought it was sixteen, I was not sure if it was fifteen or sixteen, is it -

MR. E. ROBERTS: When it was extended to (inaudible) and St. Carol's it had to be fifteen.

MR. L. BARRY: And I have had many times the opportunity of responding to the hon. member for the Strait of Belle Isle (Mr. Roberts) with respect to these two communities.

The problem is that we have communities with less than the fifteen customers. These are not very many communities at the present time. We have virtually reached a stage

MR. L. BARRY: now in this Province where we have close to 100 per cent electrification which is, obviously, a very laudable goal. It is not even so much the initial capital cost of installing generating facilities in the few communities that are still below the fifteen customer level, but the question is where do you draw the line? If somebody or two families, three families decide they are going to go out and start another community in the interior of the Province or in the interior of Labrador, will they be entitled to electrification at tremendous cost to the people of the Province?

I will undertake, Mr. Speaker, to request yet one further report from Newfoundland Hydro on the feasibility of completing electrification of the communities that remain still without electricity supplied by hydro. There are a number in addition to Pinsent's Arm, there are a number of such communities, I had the figures during my estimates; I believe there are around a dozen communities that existed, so it is not just the cost of Pinsent's Arm we are talking about, it is the cost of these ten or eleven other communities as well. I will get further information for the hon. member and we will look at just what cost would be involved in supplying electricity to communities such as Pinsent's Arm, and wherever there is evidence that there is a growing community, that jobs are available can be provided to the people of this Province, we will look very sympathetically at providing the necessary infrastructure such as electrification.

I might suggest to the hon. member that we might take a count or ask the people to take a count, and not just to count the houses but to look at - is there a church, is there a school, is there a store? - in terms of arriving at the figure for the number of customers that are in the community. If there are four additional homes being built, then maybe the petition is a little premature and when these homes are built, will the community have arrived at the magic benchmark of fifteen customers?

MR. L. BARRY: The hon. member could assist us in supplying this information.

MR. SPEAKER: (Simms) Orders of the Day.

Motion 1.

It is moved and seconded that the

hon. minister -

MR. L. BARRY: Mr. Speaker, if I might say, I missed when you called Answers to Questions. I have an answer to -

AN HON. MEMBER: By leave.

MR. L. BARRY: - a question -

MR. SPEAKER: Leave to revert to Answers to Questions?

SOME HON. MEMBERS: Agreed.

MR. L. BARRY: - because the member for Lapoile -

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

MR. L. BARRY: - raised it again yesterday and I have had the answer prepared for some time. It is with respect to an oral question which asked

MR. BARRY:

for the list of contracted expenditures in the Gull Island hydro electric development. We have nothing to hide, all the information is here, I am happy to file it.

MR. MORGAN:

Hear, hear!

MR. BARRY:

Open government.

ORDERS OF THE DAY

MR. SPEAKER(Simms):

Motion 1.

Motion, the hon. the Minister of Finance to introduce a Bill, "An Act To Amend The Local Guarantee Act, 1957," carried. (Bill No. 76).

On motion, bill no. 76 read a first time, ordered read a second time on tomorrow.

Order 2. Committee of the Whole on a Bill, "An Act To Amend, Revise And Consolidate The Law Relating To The Establishment And Administration Of Municipal Government In The Province". (Bill No. 58).

On motion, that the House resolve itself into a Committee of the Whole on said bill, Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE

MR. CHAIRMAN(Butt):

Shall clauses 121 to 130 carry?

The hon. the Minister of Municipal Affairs and Housing.

MR. WINDSOR:

Mr. Chairman, I think yesterday, when we closed debate on this section, I was about to explain a proposed amendment which my colleague, the Minister of Finance, will make to clause 126(1)(a). Subsection 1 is amended by adding at the beginning of the subsection the words "subject to subsection 2" and by adding in paragraph A of subsection 1 the words "equal to or" immediately after the words "in the town". Subsection 126(1)(a) would read, "Subject to subsection 2 a person referred to in subsection 1 of section 125 who (a) is liable to pay a real property tax in the town equal or in excess of the poll tax in the same financial year." The effect of this amendment is basically to make

MR. WINDSOR: It equal to or in excess of, whereas the act that is now before the House does read "in excess of". Mr. Chairman, perhaps while I am on my feet, an amendment to Section 126(2) striking out subsection 2 and substituting the following - Section 126(2) would, therefore, read "Where property is jointly owned, each joint owner not exempted from the poll tax under subsection 3 is exempted for purposes of paragraph (a) of subsection 1 from the proportion of poll tax equal to the ratio of one of the total number of joint owners not exempted from the poll tax under subsection 3". Basically what we are saying, since property tax is assessed jointly on the owners, that the exemption given to one person from poll tax because property tax is being paid would be shared equally by the owners. That is all.

MR. CHAIRMAN: (Butt) The hon. the member for Lapoile.

MR. NEARY: I am glad, Sir, that some of the administrators from the Federation of Mayors and Municipalities, or the municipal movement in Newfoundland, are in the gallery today. I wish they had been here last week when we were debating this bill, pointing out the weaknesses and the need for amendments, but there seems to be a bit of a controversy at the moment in St. John's over the collection of taxes and it is raging at the moment. The people who cannot afford to pay their taxes are being threatened by, apparently, a new manager, I think, city manager they have who, apparently, people feel is from outside the Province and who does not understand the local psychology and is all out to -

MR. WINDSOR: Point of order, Mr. Chairman.

MR. CHAIRMAN: On a point of order, the hon. the Minister of Municipal Affairs and Housing.

MR. CHAIRMAN (BUTT): On a point of order, the hon. Minister of Municipal Affairs and Housing.

MR. J. WINDSOR: Mr. Speaker, the hon. gentleman is talking about a system of collecting taxes which the city of St. John's is taking. We are talking about the Local Government Act which does not affect the city of St. John's as it relates to collection of local taxes, and I submit that he is therefore irrelevant.

AN HON. MEMBER: And out of order.

MR. CHAIRMAN: The hon. member for LaFoile is irrelevant.

MR. S. NEARY: I would like to welcome Your Honour back from New Zealand and I am glad to see that Your Honour learnt so much in New Zealand when Your Honour was down there.

MR. E. ROBERTS: But you can certainly talk about government in Newfoundland in this example of the city of St. John's as relevant.

MR. S. NEARY: But I am ruled out of order. I am ruled irrelevant by the gentleman who just came back from New Zealand and so therefore I will not continue to be irrelevant, except to say that similar situations could happen in any municipality in Newfoundland. And I was going to ask the minister what the policy of his government is in similar situations as the one we have before us now in the city of St. John's where before Christmas people are being threatened if they do not pay their taxes that they are going to be dragged into court, hauled screaming into court, and their property is likely to be taken away from them.

AN HON. MEMBER: And the lien will be put on their property and she will go on the auction block.

MR. S. NEARY: And the lien will be put on their property and she will go on the auction block. Maybe I am irrelevant, Sir, but, seeing we are discussing this matter, I thought the minister might like to tell us what the philosophy of his government is, how they recommend that town councils deal with this kind of situation that we have at the moment here in St. John's that seems to be the subject of savage controversy?

MR. N. WINDSOR: Mr. Chairman, as I understand it we are doing sections 120 to 129, I think it is. Nevertheless the section the hon. gentleman is referring to I think comes under section 134, Lien for taxes and section 133, Collection of taxes. It does not matter. We can discuss it now or in ten minutes time whenever we get to it. I do not care. Basically it states quite clearly that there can be a lien and this is not a change. It is presently in the Act; there can be a lien placed against the property for your property tax. It is limited to six years and, as I explained I think in the general debate on the principle of this Bill, or in second reading, that therefore being limited to six years, even assuming that 10 per cent mil rate which is one dollar per thousand and over a six year period the most you would have would be a 6 per cent assessment of taxes in arrears. Therefore there is no court in the land that is going to sell a piece of property for the collection of 6 per cent taxes.

MR. NEARY: Mr. Chairman.

MR. CHAIRMAN (BUTT): The hon. member for LaPoile.

MR. NEARY: Thank you, Sir.

Are we doing Clause 131 now, Sir?

AN HON. MEMBER: No, we are not to that yet.

MR. NEARY: We are down to Clause 130, are we?

MR. CHAIRMAN: We are discussing Clauses 121 to 130.

MR. NEARY: Okay, Clause 131 is the one I wanted to have a few words on.

MR. CHAIRMAN: The hon. member for Windsor-Buchans.

MR. FLIGHT: You can go ahead with your ruling, Mr. Chairman, but I do want to have a few words on Clause 129.

MR. CHAIRMAN: Motion amendments 126 (1) (a) and 126 (2) carried.

Shall Clauses 121 to 130 carry?

The hon. member for Windsor-Buchans.

MR. G. FLIGHT:

Yes, Mr. Chairman, this is the Clause that I addressed myself to in the debate. And the Clause reads, "Where the real property tax is imposed in the town, the water and sewage tax shall be set as a percentage of the assessment of the assessed value of the real property". Now, Mr. Speaker, I want to hear the minister explain why it is necessary to have this particular Clause in this particular piece of legislation. In most towns in Newfoundland today where we have a real property tax, the water is based on a set rate. In most cases, where the minister has been successful he has encouraged the councils to get the water rate to twelve dollars per month. So in most towns the maximum water rate, not in all but in most towns the maximum water rate is

MR. FLIGHT: \$12 per month or \$144 per year and that is in place where there is a real property tax. Now the question here that becomes very pertinent is why, why is this clause necessary? Obviously the minister has got no desire to reduce the amount of revenue accruing to a town that has a fixed water rate. Assuming that a person lives in an incorporated town that has a real property tax, and assuming that that property is valued at \$50,000, at a ten mil rate that property owner can expect a \$500 a year property tax and in addition to that he has presently got a fixed water rate at \$12 per month, \$144 per year. Now, why is it necessary for this government, why is it necessary for this legislation to contain such a clause? Is it to generate more revenue? Does the minister see down the road that a council that has a ten mil property rate will decide to implement a mil rate on water rates that would increase the revenue above \$144? In other words, can most people living in communities or towns that have a real property tax expect to pay, when this law comes in force, when this act is proclaimed, can they then expect to pay more than \$144 per year? Will they be at the whims of a council which says, 'Look there is no reason why we should not be getting \$250 per month water rate instead of the \$144 we are presently getting? Is it possible that a community or a town where the taxpayers are suffering under a high property mil rate - let us say ten, a ten mil rate is fairly high in this Province - \$50,000 is not a high assessment for a home in this Province today with all the services, so that person is hit with \$500 per month property tax and now, as it presently sits, he is looking at a maximum of \$12 per month water rate. Is that not enough? How about if we get a council in place that decides, let us give it to them both ways, property tax, and using this legislation a mil rate on water? Now, Mr. Speaker, there is not a councillor - the minister indicated that the federation was supporting this legislation. Well, I can tell the minister that the federation is deadily opposed to that particular clause. They do not understand why it is there. They do not feel it is necessary for it to be there and it should not be there. There are such things

MR. FLIGHT: as irresponsible councils, Mr. Speaker. One is giving the clout to the minister where if a town is not taking as much revenue out of the taxpayers as he would like to see them do, he is in a position to say to them, 'Look, why do you not increase your income from your water and sewer rate?' Get off the fixed \$144 - as a matter of fact, that option is not there because it says in this clause that it is mandatory. The minute that this bill is proclaimed it will be mandatory for the water rates in this Province to be fixed to the real property percentage. Why is it mandatory? Why must the town of Windsor, for instance, today, or Grand Falls, or Stephenville or any other town that has got a real property tax and besides the real property they have a \$12 per month water rate assessment, why is it mandatory that that council would go to the real assessment for water and sewerage taxes? Every town in the Province is opposed to it, Mr. Speaker. I am opposed to it and I believe the minister - The minister is going to have to give us a real good justification for that particular clause in order for - I will speak for myself and I know I am speaking for some of the members on this side of the House, before this particular legislation is allowed to pass with that clause as is.

MR. CHAIRMAN: (Sutt) The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOP: Mr. Chairman, I thank the hon. gentlemen for his question. It is a valid point that has been brought up. As he indicated the Federation of Mayors and Municipalities or the Federation of Municipalities, as it is now called, have indicated some concern and we discussed it and I gave them an explanation which I will now give the hon. gentleman, in fact. First of all, let me quote the Whelan Royal Commission Report, page 298, which reads, "The Commission recommends that there should be no statutory separation, as is now the case, between user rates and non-user taxes in connection with these particular service charges." Provision for such charges

MR. WINDSOR: should be located in the taxation section of the proposed Municipalities Act. What the commission is saying Mr. Chairman, is that, indeed, instead of having a real Property Tax on the property and having a flat rate or whatever on water and sewer services, that it be imposed as a percentage of real property assessed value in the same manner as a Property Tax.

Mr. Windsor: The hon. gentleman is a little bit off line when he talks about an increase. First of all, there is no intent to increase, there is no intent to cause an increase on the water and sewer levy on the municipality, on the individual taxpayer. The Council themselves set that. Let me clarify. The hon. gentleman says, "We are giving councils power to piggyback taxation. Power they have now, Mr. Chairman, they have the right now. Once they are given by the minister the right to impose the property tax then they set their tax rate, they have the right to set a water and sewerage rate. So they have that right now. They can set the level of taxation in their community, so nothing is changed there.

The only thing we are changing is taking it from a flat rate to a percentage of the assessed value. The net effect of that, Mr. Chairman, is that lower valued homes, and assumedly, based on the whole principle of the property tax system, therefore, are people who can least afford to pay for property taxes and the same would apply to water taxes. It is not true that because there is a rate now of \$144, and that is not a fixed rate, Mr. Chairman, let me clarify that once again, that is a minimum that the department has set as a matter of policy for municipalities who have water and sewerage systems in place. There are many municipalities, there are several at least, that do indeed charge more than \$144. And there is no limit on them. They could charge \$200 on the present system, they can charge \$500 on the present system, if the cost of operating and maintaining the services warrants it such. So nothing will change there. The net amount, the total bottom line number of dollars that the municipality must raise will be the same.

If at the moment the average is obviously \$144 because it is a flat rate, then the average under the new system will have to be \$144. Therefore, some persons whose homes are less than the average assessed value in a community would indeed pay less and some with the more expensive homes would indeed pay a little bit more. And I have just got a couple of quick figures here just to give you - this

MR. WINDSOR:

is totally a hypothetical case, Mr. Chairman. You take a community with 400 homes which are now assessed at \$144 each, it would give you, as I have it, \$57,600 total revenue from the municipality. And let us assume that the average assessment is \$30,000 for a total assessment of approximately \$12 million, the mil rate to bring in the same amount of revenue on 400 homes averaged at \$30,000 each would be four and a half mils. Therefore a \$10,000 house, if there was such a unit in the community, would pay \$45 and a \$50,000 house would pay \$225. Obviously, there is a differential between them but I am not sure that there are that many communities that have a \$10,000. But obviously it is fair to say -

AN HON. MEMBER: (Inaudible).

MR. WINDSOR: Yes. Obviously. I am not denying that ~~that~~ the property tax system is based on that whole presumption as well, nothing changes. And all that we are saying and all that the commission was saying is that if the philosophy applies to property tax then, indeed, it may just as well apply to water and sewerage services, that those who can best afford to pay should pay.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (BUTT): The hon. member for Windsor-Buchans.

MR. FLIGHT: I am not totally satisfied with that particular answer, Mr. Chairman. I just want to tell this House of Assembly, Mr. Chairman, that the reason - the minister is right there are two or three towns in Newfoundland that have got a higher than twelve dollar per month water rate, but the reason is this: About two or three years ago the now Premier, the then Minister of Municipal Affairs, made a unilateral decision that water rates were going to go in this Province, to twelve dollars per month and there are very few councils in this Province today which have a twelve dollar a month water rate that was put there by their own reckoning. As a matter of fact, I can name a lot of councils that resisted going to twelve dollars. They took over three years, from six to eight to ten and when it was sitting at eight and the mayor or a delegation of that town council came in to

MR. FLIGHT:

get an extension to a loan, the cudgel was used then and said, 'Yes, we will consider giving you the money you need to do such and such a thing, however, you have got to go back and get your taxes up to twelve dollars a month.' And that is the problem, Mr. Chairman, that this is what we are going to see happening under this particular clause.

The only reason we have a twelve dollar water rate in this Province today is because the minister insisted that if you want any co-operation from this department then your rates go to twelve dollars a month.

And another fallacy in this whole scheme, Mr. Chairman, is this: The minister just said that rates will be based on the town's ability to pay, to pay its own way. Now, I have to ask you what about a town with a population of about 200 people who have about \$500,000 debentures looking them in the face where they have to meet the interests on those debentures semi-annually,

MR. G. FLIGHT:

where they can not raise,

at the present tax structure, the money they need to do the general operation of the town, their general administration and maintenance. Is the minister going to say that you do not have to increase your water rates or you do not have to have a high mil rate, we will pick up the debenture charges, we will pick up the \$40,000 a year on your debentures? Not hardly. Do you know what he is going to say? If that given town decides to stick with a mil rate that would generate the \$144 they are getting now and they can not afford to pay their debenture interest, the minister is going to say, look, this Province is subsidizing you now by \$40,000 or \$50,000 a year and we are not going to do that any more. We are telling you to get your mil rate up to a point where you are paying your own way, and that is where every municipality in this Province that has a debenture debt and I am excluding the larger municipalities, the ones that have a commercial tax base - probably tax base can bring in the revenue they need to pay their debenture interest and that type of thing, but the towns, all the towns I represent everyone of them that is incorporated has got a debenture debt that there is no way in the world for them to get their taxes high enough to meet the debenture charges. And this clause here is going to allow the minister to wield the cudgel and say, get your water rate up to six mills, or seven mills, or eight mills because you are not paying your way, the town of such and such is paying its way and you will pay yours. And, Mr. Chairman, that is the reason for that particular bill. The minister did not explain why he has used the Gendry Report as a crutch. Every time he wants to justify some clause in here that is not necessary, the minister picks up the Gendry Report and says look. The Gendry Report talks about the county system in the Province, I do not see anything about the county system in this legislation. The Gendry Report talks about all kinds of things in municipal government. A lot of things that are not in

MR. G. FLIGHT: Here. The only things that are in this act are the things that the minister wants to be able to whip the councils in this Province in line, and to say you have to generate the revenue. If you have a debenture debt, then it is your responsibility to pay off that debenture debt and the way we will do it - There is the key, there is the clause. The hon. member for Botwood (Mr. Twomey) will find himself down in Point Leamington one day with the people complaining to him that the mill rate on their water has gone to seven per cent and that their property is assessed at \$40,000. And the reason it will be, is because the minister held the whip over their heads and said you have to do this.

MR. J. DINN: Seventy mills?

MR. G. FLIGHT: Seven mills, seven.

AN HON. MEMBER: Seven per cent you said.

MR. G. FLIGHT: Now we can see why the Minister of Manpower and Labour is no longer Minister of Municipal Affairs. He talks about seven mills as opposed to seventy mills.

MR. J. DINN: How come you said seven per cent? That is seventy mills.

MR. G. FLIGHT: I said seven mills.

MR. J. DINN: Seven per cent.

AN HON. MEMBER: Seven per cent you said.

MR. G. FLIGHT: So, Mr. Chairman, I am not going to go along with that particular clause. I have to get a better explanation from the minister than he has already given us on that particular clause. So if somebody else wants to elaborate on this.

MR. CHAIRMAN: Order, please.

The hon. the Minister of Municipal Affairs and Housing.

MR. N. WINDSOR:

Mr. Chairman, I can only reiterate the arguments I gave earlier and add a couple of points to them. Number one - to point out to the hon. gentleman, if he is not aware, and he may be, that the City of Corner Brook at the moment and it has for some time, operated under this system and operated quite satisfactorily, in fact, in that they do have a water and sewerage tax as a percentage of the real property tax system. I would like to clarify, however, some of the points he made. He talked about a municipality that has a very high capital debt over its head, and therefore, would have a very high water and sewer percentage as a property tax, or as a water and sewer tax. What the hon. gentleman is misconstruing is he is confusing capital and current, and operating. The \$144 policy we have at the moment is to ensure that municipalities are, hopefully, bearing a fair share of the cost of operation and maintenance. In many cases, \$144 per year per household does not pay, in fact, the cost of operation and maintenance let alone interest on the debentures, let alone principal on the debentures. All that we said in the department was that before we would even consider any kind of a subsidy on operation, if it was required, then we would insist on \$144 per year. So, the hon. gentleman's fears that there is going to be a very high percentage here in order to bear the full cost of capital debt are not accurate. Capital operating costs, basically, come from the real property tax assessment itself.

MR. CHAIRMAN:

The hon. the Minister of Consumer Affairs and Environment.

MR. WATSON:

Mr. Chairman, I would like to expand on what he says in cases it is very feasible to have different rates with regard to the water tax. Now, I would like to talk about the town of Corner Brook. We have varying rates of water tax, and it is based on water users: now, for instance, if you have a cement making industry in your town, or if you have a bar washing machine, or you have a...

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MRS. HENRIKSON: Large hotels that are using very large amounts of water, well, in these cases we do charge a different rate from the ordinary householder.

MRS. NEWHOOK: I think, perhaps, this might be the purpose of this when it says, "For different classes of properties"

MR. CHAIRMAN (Butt) The hon. the Minister of Municipal Affairs and Housing.

MR. WINDSOR: Thank you, Your Honour.

Yes, my hon. colleague is exactly correct, Section 130 provides for the variance of this tax for various users and is specifically designed for that purpose, where there are special users such as car washes, bottling plants, for instance, somebody, maybe a brewery or a softdrink bottling factory which, obviously, would have an extremely high usage of water and which may, in fact, need a very high quality water, and that the municipality may have to provide some form of special treatment, so that there is provision under Section 130 that the rate can be varied so that the town can get a fair return for high users or special users. My colleague is entirely accurate.

MR. FLIGHT: Mr. Chairman

MR. CHAIRMAN: The hon. member for Windsor-Buchans.

MR. FLIGHT: You know, I cannot give up on this one yet, Mr. Chairman. I want the minister to know that I understand what happens to the water rates that are collected in a given town, the \$12 per month. As he says, it is charged off to administration. Well, I can tell the minister that the revenue grants coming from Municipal Affairs are paid out to the municipalities based on the collection of that \$12 per month. As a matter of fact, that is one of the few things that is revenue bearing. Well, then will he explain to me how it is that most of the communities in this Province that have a debenture debt hanging over their heads, that have a \$30,000 or \$40,000 interest debt hanging over their heads, that the department intercepts those revenue grants, that if they are not meeting all the interest the department intercepts and holds back and takes back from them and will not allow them to have their revenue grants based on the water rate being collected. So, when

MR. FLIGHT: the minister says that any revenue collected by this clause will be applied to the general administration, if enough is collected to pay for the general administration, then any surplus will go to paying off interest charges. The balance that the municipality cannot pay off, the minister will be in a position to say, "Move up your assessment on your water rates to pay a better share of the \$40,000 or \$50,000". Mr. Speaker, my concern with the hon. lady from Gander (Mrs. Newhook), who I am totally aware has such knowledge in municipal government, is that she talks about the Town of Gander. There would be no need of any debate on this particular bill in this House of Assembly if every town in Newfoundland was as fortunate as Gander. If every town that is going to get hurt and crippled by this particular bill had all the assets going and the commercial tax base that Gander has going, then they would gladly accept this legislation, and they probably would be able to set their residential water rates at one mil or two mils, knowing that the DOT and the MOT and every Federal agency and the International Airport and the commercial taxpayers would contribute more than was necessary to meet the capital and administration costs of the Town of Gander. Our problem is that we have only got one Gander in Newfoundland, and we have one Grand Falls and we have one Corner Brook. This legislation is going to hit where it hurts, the small municipalities which five years ago, negotiated a \$300,000 or \$400,000 or \$500,000 loan to put in a water and sewerage system and have not been paying their fair share because it is impossible for them to raise the kind of revenue they require to pay their full share. This legislation will make it possible for the minister to force that council not only to pay their fair share but maybe to pay an unbearable share. That is what concerns me, Mr. Minister, and one can stand here - I mean, I suppose, one could take the attitude that I am going to filibuster on this bill; in which case, you would need somebody getting up and down like jack rabbits. I think I have said what I want to say. I think the points I made on that particular clause are good points, and I believe that people on that

MR. FLIGHT: side of the House who are representing districts that have small communities that are staggering under debts that were negotiated going back five years ago, \$300,000, \$400,000, \$500,000, \$600,000 municipal debts, who have not been able to pay their share of the interest rates, this bill is designed to squeeze every last dime out of those municipalities and out of the people living in the municipalities. Do not be fooled by the minister using - I accept that he sort of said it tongue in cheek - but do not be fooled by the \$10,000 property rates. There will not be a shed in this Province that will be valued at \$10,000 three years from now when the assessors go acting on the instructions of the minister, go out to do the assessments in the municipalities around this Province. Never mind your \$10,000 assessments. It will be closer to \$60,000 for what normally - the man will be able to say, "Look, this only cost me \$10,000. I built it with my own hands, I cut the wood in the woods, I had it sawed,

MR. FLIGHT: and the capital cost of this house is \$10,000 because of my initiative and hard work. How come you are telling me it is \$60,000, so you can hit me with a three mil water rate?" Those are the kinds of problems that this bill is going to bring to the smaller communities in this Province, Mr. Chairman, and the minister is going to have a hard time living with this bill. The minister is in for a rude awakening when he starts hearing from the councils in Badger and in Millertown and I can name about 300 more communities, when they tell him categorically, right blunt to his face that they have no intention - and the small communities in the member for Bonavista South's district -

MR. MORGAN: (Inaudible) names if you name them.

MR. FLIGHT: - all the communities in the member for Bonavista South's district. His problem is he believes this except he is whipped in line by the Premier and the minister to support the bill. All the small communities in his district are shaking like a leaf, shaking like a leaf on this particular piece of legislation, and he is going to run into towns that are going to categorically refuse to implement that particular clause or to accept the property tax philosophy. What is going to be interesting is how he is going to deal with it, Mr. Chairman. Like I said, I could take the attitude and convince some of my friends to stand up and keep filibustering, but I think I have made the points. I think the points are - they are important, quite valid.

MR. WINDSOR: Mr. Chairman.

MR. CHAIRMAN: (Butt) The hon. the Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Chairman, I have to make just a couple of very brief comments. I appreciate the hon. gentleman's comments to state his concerns. One thing I have to correct is a very serious statement that he made, that assessors from the department would go out into this Province acting under instructions from the minister. I have to clarify that for the record, Mr. Chairman,

MR. WINDSOR: That is entirely inaccurate. It is a very serious allegation. The assessors in the department, the Assessment Division, operate under the Assessment Act in a very clear law passed by this House of Assembly. The minister will not and has not any authority to instruct assessors to place high assessments on property, and that is a very serious allegation. I do not think the hon. gentleman was really serious when he made it, but I just wanted to clarify it for the record.

The other point I want to make is that the hon. gentleman talked about withholding revenue grants. Yes, by all means, if a municipality that has a \$3 water and sewer fee, by all means we would do that. That is under the old system where there were two budgets. Under this system there will only be one budget, just the one budget. Water and sewerage and all the revenues in the municipality will be in the one, doing away with the system of having a general account budget, an operating budget, and having a utility budget. Everything will be put together because it is just a sort of unworkable sort of thing where municipalities are really, as hon. gentlemen I am sure know - I am sure my colleague from Burin-Placentia West (Mr. Hollett) I am sure he is well aware that there is a lot of juggling at budget time between one budget and the other to see whichever was most favourable for the municipality - who is fooling whom? What we are doing now is putting it all in one. There is no authority in the minister to make municipalities collect more as a result of this; in fact, there is less. Municipalities now are setting their budgets, they are setting their level of expenditure, they are setting their tax rates. The minister does not even have the opportunity to approve of it anymore, cannot withhold the approval of a budget and say raise your taxes. The control is entirely within the hands of the municipality where it, indeed, belongs.

MRS. NEWHOOK: I would like to say, Mr. Chairman, that this act is a set of guidelines, it is a -

MR. CHAIRMAN: (Butt)
and Environment.

The hon. Minister of Consumer Affairs

MRS. NEWHOOK:

Yes, I am sorry.

This act is a set of guidelines. It is set for small towns and big towns alike. It is there for the councils to use their common sense, and I would say the hon. member there is indicating that councils are going to be irresponsible.

On motion, Clauses 121 through to 130, carried.

MR. CHAIRMAN:

Shall Clauses 131 through to 140 carry?

The hon. member for Grand Bank.

MR. THOMS:

I said in the House a few days ago, Mr. Minister, and I will repeat it here now, if you want me to stay here in this House til Christmas Eve, New Year's Eve, to discuss this piece of repressive legislation, I will be only too happy to do so.

SOME HON. MEMBERS:

Hear, hear!

MR. THOMS:

Thank you. Only too happy to do so, and do not question my right to stand up here and speak on any one of the 648 clauses in this legislation.

Mr. Chairman, Section 131(1) and (2), it is the title section that gives me a little trouble. Section 131(1) gives the council the remedy

MR. L. THOMS: to shut off and disconnect the service for the nonpayment of taxes.

MRS. NEWHOOK: (Inaudible).

MR. S. NEARY: Oh yes, always. Sure we know that, we can read.

MR. L. THOMS: Now Madam - I can go through the legislation of this Province and I can show you act after act after act that should be amended, acts that should be repealed not because it has always been in the act is it good. A lot of things in here that were in the previous act I do not consider good legislation and I do not consider it a reason for voting for it because it has been there before-

AN HON. MEMBER: Hear, hear!

MR. L. THOMS: -it does not make it good legislation.

MR. S. NEARY: and besides that, this was supposed to be a big reform and all the changes (inaudible)

MR. L. THOMS: Section 92 was in the previous act. I disapproved of that one. There are other sections, there are other acts and there always will be. 131 gives the authority to council to cut off the water supply for arrears of taxes. No. 2 gives to any employee or agent of council the right to enter upon real property - privately owned real property and at all reasonable times enter into any of the buildings or structures thereon for the purposes of disconnecting the water or sewer. This particular act gives the councils, it gives them a lien for arrears of taxes, incumbers the property as a first mortgage no matter when other incumbrances have gone on the property. Where there are arrears of taxes then there is automatically a priority given and no matter when a mortgage or judgement or anything else is put on the property there is a statutory lien which affixes to the property under this act. The council can also disstrain where there are rentals payable can disstrain against the rentals payable to collect the arrears of rent. Furthermore, the council can, of course, sue for the arrears of rent in court. Under section 141 they can sue and where a person is liable for arrears of rent - is guilty of an offence and liable on summary

MR. I. THOMAS: conviction of to a fine of not less than \$25.00 and each day's continuance of such failure constitutes a separate offence".

Mr. Chairman, maybe this is not a necessary provision to have in an act but to be it can mean a great deal of hardship for somebody, I think I either heard on the news or read in the papers in the last day or so where the city of St. John's is cutting off the water for people who are in arrears of rent. Now, the only reason why most people will not pay their rent is because they do not have the money. There are very few people on Faulkner Street, Downing Street and Darling Street in arrears on their taxes. If you want to take a survey, I would be very surprised if you found one in arrears.

AN HON. MEMBER: (inaudible) be surprised (inaudible).

MR. I. THOMAS: No, I do not think you hear it like that at all, I think what you have been hearing is that there are a lot of businesses and people with investment properties where there are arrears of rent. So the people that get hurt under this particular section are people who oft-times have a very legitimate reason for being in arrears.

MR. THOMS: And, also, you have to consider that in lots of cases it is not the husband or the wife who is going to suffer, it is the children who are living in these houses. If the City of St. John's goes ahead today and disconnects the water and sewer from a particular house - It is not like when I was a kid growing up in Lamaline, we had an outdoor privy, we had an outdoor toilet. Where do they go today if the water and sewer is cut off? It is the children who suffer in a situation like this. It is harsh, and I realize that it is a final thing that a council would do, but I am just wondering if it is absolutely necessary in light of the other provisions of the act. In fact, there is what is basically a first mortgage on the property, no matter when it goes there, in view of the fact that you can sue for your arrears, in view of the fact that you can attach rentals for your arrears. Now, councils will be, I think, the only people who will have this remedy. For example, I own an apartment building - okay? - the legislators of this Province, if I am not mistaken - maybe the Minister of Mines and Energy can correct me if I am wrong, - where a tenant is in arrears of rent he is precluded under the Landlord and Tenant Residential Tenancies Act from discontinuing services such as this light, heat, or anything of that matter.

MR. NEARY: For three months.

MR. THOMS: No. He cannot discontinue at all.

MR. NEARY: Sure he can.

MR. THOMS: He has his remedies. He can sue for the arrears, he can sue for possession.

MR. BARRY: (inaudible)

MR. THOMS: I will save myself \$20 that way. But he does not have the right to do what this act gives the councils the right to do, what the City of St. John's has the right to do, what the City of Corner Brook has the right to do. In other words, when the Landlord and Tenancy Act was brought in it was considered that

MR. THOMS: this was too harsh a remedy to be used against somebody who is renting a premises. On the other hand, when it comes to collecting arrears of taxes, property taxes, water taxes, it is not too harsh a remedy. Now, there is nothing consistent with that. As I said before in this House, it really does not bother me at all that the previous administration did it, or the previous previous administration, that does not concern me. If I consider it to be bad legislation, then I will speak out against it in this House. The second part of that provision is, and why it is given I do not know, as I understand it these services could be cut off without actually having to trespass on private property. You do not have to go into a person's house to shut off the water. But this gives them the authority, any employee or agent may at any time enter upon real property, which presumably would give them the authority to enter a person's home

AN HON. MEMBER: (Inaudible)

MR. THOMS: What is that again?

AN HON. MEMBER: (Inaudible) real property

MR. THOMS: Yes but this gives them the authority to go into the bedroom as I understand it. Now so is a home in Newfoundland real property. In Newfoundland we do not have any real property. We have chattels real, unlike any other jurisdiction. Maybe it will never be taken advantage of. Maybe nobody would ever enter into a person's home in connection with something like this. But then maybe we should make sure that the section is not abused. I made objection to a section the other day and the President of the Council (Mr. Marshall) told me well that would be absurd.

MR. THOMS:

So what are we doing? We are legislating absurdities or the opportunity for people to do that which is absurd. If what they can do under the section is absurd why put it in there to start with? Now, I know the minister is not going to agree and I would not expect him to agree to amending that section at the present time without giving it some serious consideration. I would be satisfied just knowing that he would give it some consideration. I think it is a serious enough matter to give it the kind of consideration that it needs. Sure it was in the other act but it may have been wrong to have it in the other act and it may be wrong to have it in this act.

MR. CHAIRMAN (MR. BAIRD): The hon. member for Carbonear.

MR. MOORES: This, Mr. Chairman, according to the hon. Minister of Municipal Affairs is a stalwart piece of reform legislation. He, along with his colleagues in government, have introduced this bill supposedly to better serve the residents and the local government in this Province. Well, it is true, Mr. Chairman, that the minister has reformed the municipalities regulations in this Province. He has taken a piece of rubbish and he has turned it into a piece of trash and that is reform. That is clear-cut reform. I do not think that there is any other corporate citizen in this Province that is permitted under the laws of this Province to disconnect a vital service to a human being and his family. I do not believe it exists not only in this Province but anywhere in the free world. They are all controlled, by the way, by the government so it is merely—the Minister of Manpower and Industrial Relations or Manpower and Labour, whatever he is, points out that the other public utilities in the Province such as Light and Power and Newfoundland Telephone also have that privilege. And I say to him that they come directly or indirectly under the jurisdiction of this government. therefore, this clause is merely a consistent method in which you people deal with human beings and taxpayers in this Province, no different.

Mr. Chairman, I have had the opportunity since being elected to this House in 1975, of becoming associated with the

MR. MOORES:

ramifications of this clause on a number of occasions. I know of constituents in the town of Carbonear, which is the only town in my district that has property taxes as such, and I might add it is one of the largest towns in the Province, I think it ranks perhaps seventh or eighth now. I have seen taxpayers come out with shovels and picks and knives and pickets and rocks, anything but shotguns or some other weapon, to defend themselves, come out and say to the mayor or the agent of the town council, 'If you come in over my property line to cut off my water this is going to happen.' There is no more cantankerous and obnoxious clause in any government bill in this Province than this one right here. I have seen mayors who have been assaulted in taverns, who have been confronted on the street, who have received punches in the face, kicks everywhere, tossed against buildings, people trying to run over them in cars, all because the government of this Province has allowed this phrase, this piece of reform legislation, first of all, to be retained in this bill and, secondly, to retain it only because it was in the former regulations. Now that is reform legislation for you. That is foresight, that is intellect on the part of the minister and his government. They are going to allow this clause to remain and by allowing the clause

MR. R. MOORES: to remain, they allow all of the confrontation, all of the aggressiveness, the apprehension, the inconvenience, the volatility to remain. And there really is no need of it, because a corporate citizen in this Province, any corporate citizen, has the right to take a taxpayer or a debtor to court to retrieve what they are owed, and that is no more or no less than what a town council should be provided with. And some of these sadistic town councillors, some of these sadistic mayors who get real thrills out of imposing this regulation - my colleague from Grand Bank (Mr. Thoms) said this is the last resort. Well, I am telling you, some of them are waiting for taxpayers to go in arrears so that they can put out the word, 'Cut off the water as fast as you can, boys! That son of a gun, he did not vote for me in the last election! Cut off the water.'

In the June election, Mr. Chairman - not because I needed the vote in Carbonear - but there was a gentleman in that town who came to me and he said, 'Mr. Moores, the town council, boy, has cut off my water.' He said, 'I have a wife, and six children all of school age, and I just simply do not have the money. I am on unemployment insurance and I am receiving' - I think it was \$100 a week or \$105 a week - a man, his wife and six children. He said, 'I just do not have the money. If the council would wait two weeks until my next cheque comes, I will provide them with a payment.' I phoned the town council and I said, 'Look, this is the situation, it is a compassionate situation, a humane situation - let the man have two weeks of grace. 'Two weeks of grace! Go away, boy! Do not be so foolish! We have given him twelve months of grace already. Cut off the water! Leave his six children without water for food, for washing dishes and clothes and for bathing. Cut it off, boy!'

MR. STAGG: He must have been a Liberal.

MR. R. MOORES: All people in Carbonear are Liberals!

SOME HON. MEMBERS: Hear, hear!

MR. R. MOORES: And I ask the minister in all seriousness - now, I can get up here and I can reel on for an hour on this, shout and

MR. R. MOORES: make a hullabaloo and what have you - but in all seriousness, Mr. Chairman, I directed my comments to the minister who is not listening now, he is talking to his predecessor who did not listen either when he was in the portfolio. I asked the minister, in all fairness to the working poor in this Province. According to a statistic that I was reading, I think it was two months ago, outport Newfoundland rates with the Gaspé region of Quebec as having the most working poor in Canada. Now, they did not include in that, I do not think, the Indian and native populations of Manitoba and the other provinces out West, but Newfoundland has the highest rate of working poor in Canada. And if for no other reason, Mr. Chairman, then this minister and this government should give very serious consideration to wiping out - I do not know but that I might move an amendment to that, hon. colleague from LaPoile (Mr. Neary) - I do not know but we will move an amendment -

MR. NEARY: That it be deleted from the act.

MR. R. MOORES: - that it be deleted from the act.

I would have to write that, would I not?

MR. NEARY: No, no. Just move that (inaudible).

MR. R. MOORES: And it does not require a seconder.
Mr. Chairman, I move that Section 131 (1) be deleted from this act.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: (Butt) Order, please!

I will have to tell the hon. gentleman that he cannot delete a section of the act.

MR. NEARY: Why?

MR. CHAIRMAN: You can vote against it but you cannot delete it entirely.

MR. R. MOORES: A point of order, Mr. Chairman.

MR. NEARY: I beg your pardon, Mr. Chairman, you can delete it.

MR. NEARY: Only last Thursday we had (inaudible)

MR. CHAIRMAN (BUTT): I will adjourn for a moment, okay?

MR. NEARY: Get the member for Humber West (Mr. Baird)
back in the Chair.

MR. CHAIRMAN: Page 509, section 6, "An amendment to leave
out a clause is not in order as the proper course is to vote against
a clause, standing part of the bill. Consequently, it is out of order
to propose to leave out the only effective words of the clause or
the words upon which the rest of the clause is dependent or to offer
any amendment which is equivalent to a direct negative of the clause.

MR. MOORES: Mr. Chairman.

MR. CHAIRMAN: The hon. member for Carbonear.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please! Order! Order, please!
The hon. member for Carbonear.

MR. MOORES: Mr. Chairman, on that, I do not think my
colleagues are questioning your ruling. That is not their intent
but I think it is their legitimate right to be confused and that is
essentially -

MR. CHAIRMAN: You have an opportunity to vote against
it but you cannot delete it as pointed out in Eiskine May.

MR. MOORES: You mean I cannot put forth an amendment
to erase this piece of reform? That is not directed towards you,
Mr. Chairman, I am just thinking out loud. But I cannot because of
the rules of the House but only because of the rules of the House,
ask that this piece of reform legislation have a deletion.

Mr. Chairman, in closing my comments
on this particular clause I would want the minister when he, presumably,
gets up to reply to some of the comments, to inform all hon. members
of this House why that clause is there, why a town council which is
by the way, a subsidiary of government, of the provincial government,
directly, no question about it, it may work corporately as an
independent but it is not, it comes directly under this piece of

MR. MOORES:

legislation here which gives untold powers, untold dictatorial powers to the minister and/or the Lieutenant Governor in Council, Why is that subsidiary of government allowed to swing its big stick to bully and demean the taxpayers, legitimate, innocent taxpayers in the communities in this Province?

MR. NEARY: Mr. Chairman, a point of order. If my hon. colleague would allow me -

MR. CHAIRMAN (BUTT): A point of order.

MR. NEARY: A point of order, Mr. Chairman. This is in my colleague's interest.

MR. CHAIRMAN: Order, please!

MR. NEARY: We cannot allow, Mr. Chairman, this decision just made to go unnoticed, we cannot allow it to go on the record because only three or four days ago in this House I moved that a clause, that a section of the act be deleted. It was debated at great length, The

MR. NEARY: amendment was in order. Now we have a decision that contradicts the precedent that has already been established in this House, and it has everybody thrown into chaos and confusion. I wonder if the Chairman would like to take a few minutes just to reflect on this.

MR. CHAIRMAN: (Butt) Order, please! I have to adjourn momentarily for the Speaker to make the announcements for the Late Show. I now rise the Committee.

MR. SPEAKER: (Simms) Order, please!
As it is now five o'clock I can now inform the House that I have received notice of two matters for debate at 5:30 when a motion to adjourn will be deemed to be before the House. Notice given by the hon. member for Lapoile (Mr. Neary) arising out of a question asked the hon. the Premier and the subject matter, the announced CN increase on East coast ferries; and another matter, notice given by the hon. member for Lapoile arising out of a question asked the hon. Minister of Transportation and Communications (Mr. Brett) and the subject matter safety on the Trans-Canada Highway, especially as far as the movement of tractor trailers is concerned.

MR. CHAIRMAN: Order, please!

MR. NEARY: I would like to continue, Mr. Chairman.

MR. CHAIRMAN: The hon. member for Lapoile.

MR. NEARY: I do not want to put the Chair in an embarrassing position, but we have now a ruling made by the Deputy Chairman of Committees and we have -

AN HON. MEMBER: (Inaudible) frivolous.

MR. NEARY: Pardon? It is not frivolous, it is very, very, very important. You cannot allow this kind of thing to stand on the public record of this -

MR. DINN: May is (inaudible).

MR. NEARY: Well, I do not care what 'May' is, but we have two decisions, two opposing decisions. Now, it has to be cleared up. I am not questioning Your Honour's ruling, I

MR. NEARY: do not want to put the Chair in an embarrassing position but I believe either the member for Humber West (Mr. Baird), who was Deputy Chairman, was right and the hon. gentleman is wrong, or the hon. gentleman is right and the member for Humber West was wrong. It has to be one or the other.

MR. MARSHALL: Mr. Chairman, on a point of order, if I may.

MR. CHAIRMAN: (Butt) On a point of order, the President of the Council.

MR. MARSHALL: When one wishes, first of all, and I would hope it would not come to this, but when one wishes to question which is, in effect, even though the hon. member says he is not, a ruling that is made by the Chair, there is an established procedure for it. As I say, I would certainly hope that it would not be necessary, you know, to go to this length. As I understood the ruling of the hon. Deputy Chairman of Committees, the hon. member for Lapoile (Mr. Neary) brought in a motion to delete -

AN HON. MEMBER: (Inaudible) here.

MR. MARSHALL: - no, no, the previous one - the hon. member for Lapoile brought in a motion to delete Clauses 109 and 110 of the bill. A point of order was raised at the time, and the point of order was based on the fact that you could not delete - the amendment was not in order because it would defeat the principle of the bill itself. The Chair took it under advisement and when the Chair came back, the Chair said that the amendment was, in fact, in order because, in the opinion of the Chair, the two sections concerned did not defeat the principle of the bill. They would not now. The same criterion does apply, I mean, it does not affect the principle. The principle is there and it is definite that you cannot bring an amendment in Committee to defeat the principle of the bill, because the principle of the bill is obviously decided at second reading. I do not think there is any need to belabor that, all hon. members will agree to it.

MR. MARSHALL: Now, unfortunately, I was not - or, fortunately, whichever way one may wish to view it - I was not in the Chamber at the time when the ruling was made so I am speaking, you know, from what I hear. If the Chairman of the Committee felt that the amendment led in by the hon. member for Carbonear (Mr. Moores) - and I have to confess at this time I do not know the substance of the amendment -

MR. NEARY: Maybe it was (inaudible).

MR. MARSHALL: - no, you say it is the same, but, I mean, you can bring in an amendment, the same, to delete a clause, but if that amendment

MR. MARSHALL:

defeats the principle or, you know, affects the principle of the bill.

AN HON. MEMBER: (Inaudible).

MR. MARSHALL: Well, I mean that is for the Chair. This is my whole point, that is for the Chair. I would just point out that it does not necessarily mean that a ruling is inconsistent if, on the one hand, the Chairman says that an amendment to delete sections cannot be admitted because if that is brought in it will affect the principle of the bill and in the other case he allows it because it would affect. I mean it is the Chairman's opinion that we are talking about. And, you know, in the realm of debate, particularly, you cannot get sacrosanct rules that you can never have an amendment to delete sections. You obviously cannot. So that is what I would submit as far as I know of it. When the hon. member gets up and says the Chair is being inconsistent, it does not necessarily mean so.

MR. CHAIRMAN (BUTT): The hon. Leader of the Opposition.

MR. JAMIESON: Mr. Chairman, I too regret that this point has been raised and has caused some difficulty. I am not being in the least argumentative when I say this but surely I think we on this side and I suspect all hon. members would want to ensure that there is consistency with regard to how Committee procedures are carried on. My reason for saying that is that down the road, as we all know very well, something may come up one of these days which is completely on a different sort of subject, and one or the other of these will be quoted back as the precedent. And now I say this in all difference to all hon. members who have occupied the Chairman's position in the last few weeks since we have met, but the fact of the matter is that my hon. colleague from Carbonear (Mr. Moores) in all sincerity and I am quite sure after very careful thought, asked himself how he was to proceed with what he genuinely believes and we on this side believe to be a portion of this bill that is not consistent with our views to say the very least. Now, what I do suggest to the hon. the House Leader is that he, having done that, based upon the precedent of last week, that it may very well be that there is a difference in the two amendments, I do not know. And I suggest that if that is the case then

MR. JAMIESON:

it may well be, also, that both Chairmen were correct in their rulings. But to simply say that it is a matter of opinion at a particular moment in time, I would certainly think, and yield to the hon. and learned gentleman's legal background, is surely not the way for us to go. And I do not know what the alternative is but perhaps if it were agreeable with the - and I have not consulted with my colleague - we might for the remaining time or something proceed on to other clauses, to perhaps stand this, to give some opportunity for either (a) a resolution of the question as to which is which, either that or find some other technique which will be equally effective in terms of having my colleague get his opposition and that of members on this side on the record in an effective way.

MR. CHAIRMAN (BUTT): Order, please!

I feel in this particular case that I am not bound by precedent because I have found a correct procedure in May and also in Beauchesne. However, I do want to adjourn for a few moments to get further clarification on this very important - I will recess for a few moments to get further clarification.

MR. CHAIRMAN: (Butt) I realize there is some inconsistency here. However, I do not feel that I am bound by precedent since I have found the correct procedure in May and Beauchesne.

AN HON. MEMBER: What page in Beauchesne?

MR. CHAIRMAN: Beauchesne, page 233 (6).

If you wish to appeal my ruling, then the Committee will rise and we will call in the Speaker.

MR. JAMIESON: Mr. Chairman.

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

MR. JAMIESON: Well, Mr. Chairman, as I indicated in my earlier remarks, the last thing in the world, certainly, I am sure my colleague from Carbonear (Mr. R. Moores) or I, or anyone here wishes to do is either to embarrass the Chairman or to question the ruling. I think it was a legitimate point of order, in view of the inconsistency, but I do not believe that any useful purpose would be served by employing the technique of asking the Speaker in to challenge the ruling. I think, however, it would be useful if either today or at some point, we got clarification as to just what the distinctions are, what the difference was.

MR. CHAIRMAN: Well, certainly, if there is anyone who would want further clarification, we could -

SOME HON. MEMBERS: Carry on, Mr. Chairman.

MR. CHAIRMAN: Shall Clauses 131 through 140 carry?

MR. R. MOORES: Mr. Chairman.

MR. CHAIRMAN: The hon. the member for Carbonear.

MR. THOMS: Mr. Chairman, I would like to -

MR. CHAIRMAN: I am sorry, the hon. the member for Carbonear.

SOME HON. MEMBERS: Oh, oh!

MR. R. MOORES: I might say, Mr. Chairman, that I was holding the floor at the time of the interruption. However, to my colleague from Grand Bank (Mr. Thoms), I might as well speak for four minutes.

AN HON. MEMBER: (Inaudible) yield.

MR. R. MOORES: Okay, I will yield to my colleague from Grand Bank.

MR. CHAIRMAN: (Butt) The hon. the member for Grand Bank.

MR. THOMS: Mr. Chairman, I would like to move an amendment to Clause 131, sub-section 1, inserting two words and having it read like this: 'In addition to any other remedies that the council has to enforce payment of the tax imposed under this act, and after giving six months notice, the council may disconnect the service provided by a water system, sewerage system or water and sewerage system where the tax is in arrears.'

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: Shall the amendment carry? All those in favour, 'Aye', contrary, 'Nay'.

MR. NEARY: Hold on now.

MR. THOMS: It is debatable, Mr. Chairman.

MR. CHAIRMAN: The hon. the member for LaPoile.

MR. NEARY: Mr. Chairman, I -

MR. THOMS: You are not - that is me.

MR. NEARY: Go ahead. Do you want to carry on?

MR. THOMS: No, you go ahead.

MR. NEARY: No, go ahead. I am going to speak on the Late Show so you can carry on.

MR. CHAIRMAN: The hon. the member for Grand Bank - speaking on the amendment, I assume.

MR. THOMS: Speaking on the amendment, Mr. Chairman.
Mr. Chairman, as I said earlier in the day, I feel that this particular clause is an onerous, a very onerous clause. At the time that I mentioned this, it was said by somebody across the House that it was in the previous act. And, of course, we all know that

MR. THOMS: at one time it was illegal to be a pickpocket and people were hung for picking pockets. I can only assume that none of us today would agree that that particular law should have stayed on the statute books. I find this one particularly disgusting to me and if I cannot get the clause deleted completely, then at least I would like to see a person who finds himself in the unfortunate position of not being able to pay a particular water tax - I would like to see that person at least in a position where he is given six months grace.

Mr. Chairman, I notice it is now 5:30 P.M. so I would like to adjourn the debate.

MR. CHAIRMAN: Order, please!
It now being 5:30 P.M., I rise the Committee.

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

MR. SPEAKER: (Simms) The hon. the member for Conception Bay South.

MR. CHAIRMAN: (Butt) The Committee of the Whole have considered the matters to them referred, have made some progress and ask leave to sit again.

On motion, report received and adopted, Committee ordered to sit again on tomorrow.

MR. SPEAKER: It being 5:30 P.M., a motion to adjourn is deemed to be before the House.

A matter for debate raised by the hon. the member for LaPoile (Mr. Neary) is the announced increase of East Coast ferries.

The hon. the member for LaPoile.

MR. NEARY: Mr. Speaker, members of the House were shocked and amazed to learn yesterday when we put some questions to the Premier about the 10 per cent increase in the East Coast ferry rates, that the Premier was very vague and general in his response and did not

MR. WEARY: seem to know very much about it until it was brought to his attention by the Minister of Transportation and Communications (Mr. Brett), that they had a letter on record since July of this year from the Minister of Transport (Mr. Mazankowski) which indicated that there was going to be a 10 per cent increase in the rates on the East Coast Ferry.

Now, Mr. Speaker, it is unfortunate that this announcement of an increase in rates comes at a time when the people of this Province are staggering under the high cost of living in Newfoundland and Labrador. They cannot stand any more increases in anything. People are beginning to ask themselves how they are going to cope with the high electricity rates, with the high cost of heating fuel and gasoline, and now on top of this, an increase in the cost of living. Because, Mr. Speaker, whether we care to admit it in this House or not, a 10 per cent increase on the East Coast ferries will hit the tractor trailer industry harder than anything else, even though the Minister of Tourism (Mr. Power) who was speaking for the government the other day, put up token resistance, told the people of this Province that on behalf of the government he had sent a telex to Ottawa but he did not expect to get any results. The minister, speaking on behalf of the government, said this publicly - 'I sent a telex up to Ottawa. Now, if the Government of Canada' he said, 'had improved the ferry service, then they might be justified in asking for a 10 per cent increase. So we do not expect' he said, 'to get any results' from our little token resistance that we have put up, a mere telex to the Government of Canada. Now that is not good enough! Mr. Speaker, if this government is going to declare war on Ottawa, then they may as well go flat out. Transportation is a very, very vital, important part of the economy of this Province and this 10 per cent is going to be devastating to people who cannot now cope with the cost of living. And it is going to hit those on fixed income because it will be passed on to the consumer, make no doubt about that. The present Leader of the Opposition, when he was in Ottawa, managed to keep the lid on any increases for years, but as soon as the government changed, off comes the lid.

MR. S. NEARY: As soon as bully Loy Crosbie got up in Ottawa, off comes the lid! And now they are allowed to sock it to the people of this Province with another 10 per cent increase, really, in the cost of living, it is going to hit the movement of freight. The minister is concerned about the tourists coming into the Province - well, I am concerned about people not being able to feed their children adequately in this Province. That is what I am concerned about. And the Premier, I think he was shameful yesterday when he stood in his place in this House and gave such a vague and general answer and did not lay out a plan, did not lay out the strategy that he was going to use to try and persuade the Government of Canada, Mr. Clark and his boys up in Ottawa, Mr. Crosbie and Mr. McGrath, he did not tell us what he was going to do to try to persuade these people not to allow this increase to go ahead. It is going to have an effect on the tourist industry, I will admit that, but I am more concerned about the effect that it is going to have on people in this Province who are wondering where it is all going to end. We are almost ready, right at the moment, to throw it all down and go welfare, and the Premier gets up and tells us, 'Oh, we sent a telex up to Ottawa,' Sent a telex!

Now, Mr. Speaker, that is not good enough. And I hope now when the Premier stands up that he will lash out at Ottawa the same as he did a couple of days ago about the Northern cod stock, and the way he has lashed out against Erco, and the way he has lashed out against this one, and the ultimatums he has given to this one and that one. Now is the time for the hon. gentleman to get up and show his true colour and tell the Government of Canada that we will retaliate in this Province if they go ahead with this 10 per cent increase on the East Coast ferries.

MR. SPLASHER: (SINMs) The hon. Minister of Transportation and Communications.

MR. BRETT: Mr. Speaker, some time around the middle of September senior officials met separately with C.I. Marine Corporation and the Water Transportation Assistant Director of Transport Canada to discuss proposed tariffs and schedules for the gulf and the coastal

MR. BRETT: service for the upcoming year. And we were told at that time that based on traffic projections for the coming year that CW Marine was going to request an increase of anywhere from 9.5 per cent to 10 per cent. On September 21st, I wrote the federal minister, Mr. Mazankowski and I opposed the increase as strongly as I could and there is only so much that you can say. We cannot go up and twist their arms and it is not necessarily always good, I suppose, to go to war but I indicated, Mr. Speaker, at that time that the rate—that this government had always gone on record with the Federal Government in opposing any rate increases unless we could see certain improvements in the service. And we are not satisfied, we never were and we are not now that the improvements have been made. I pointed out that it would have some effect on the tourist industry and, also, that it would have some effect on the cost of living. And everyone knows that we have one of the highest costs of living in Canada.

Before sitting down I would like to say that the hon. member kind of surprises me because he sat over here on the government side of the House some years ago and he never opened his yap, he never did while he was over here, while his government under Mr. Smallwood sold out the railway in return for the TCH and now he has got the nerve to stand up and lambast us.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (SIMMS): The second matter for debate raised by the hon. the member for LaPelle (Mr. Neazy), the subject matter being safety on the Trans-Canada Highway especially as far as the movement of tractor trailers is concerned.

MR. S. NEAZY: I am sure, Mr. Speaker, that the people of this Province will be greatly interested in the answer just given to me by the hon. gentleman who held out no hope at all to the people of this Province that this government is going to do anything about anything in this Province including safety on the trans-Canada highway.

MR. NEARY: Mr. Speaker, the people of Newfoundland especially those who have children using the Trans-Canada Highway in school buses, and people who have to commute from one community to the other, as the people in Port aux Basques have to do, they have to go down to Stephenville and Corner Brook to do business and vice versa, there is a community of interest, there is a flow of traffic back and forth between Corner Brook and Stephenville and Port aux Basques, and they are scared stiff, Mr. Speaker, they are afraid of their lives, not only on the West Coast but in the Eastern part of the Province, to take their families out on the Trans-Canada Highway after dark on weekends because of the tractor trailers. My hon. friend knows that.

AN HON. MEMBER: (Inaudible).

MR. NEARY: I will tell you what the government should do, the government should ask the Government of Canada to implement the Lord's Day Act to bar tractor trailers from moving on weekends, Saturdays and Sundays and holidays.

AN HON. MEMBER: What about the effect on the cost of living.

MR. NEARY: No, it would not have any effect on the cost of living. Make them move the other five days of the week not on weekends, save a few lives. Mr. Speaker, I would say that a large number of the accidents, the fatalities and the slaughter that is taking place on our Trans-Canada Highway involves tractor trailers. We had one last week, I believe, outside of Gander. We had one a month and-a-half or two months ago down in the Codroy Valley or near the Codroy Valley involving a tractor trailer. These tractor trailer operators from the Mainland are coming into this Province and doing exactly as they please. And our people - I know I am, every time I go down to Port aux Basques, I am scared stiff going over that road between Stephenville and Port aux Basques. They not only are too big for the highway but they hog the highway and the R.C.M.P., Mr. Speaker, are practically non-existent as far as these tractor trailers are concerned. They are a hazard to the safety of our people who move. That highway was built for Newfoundlanders, was

MR. NEARY:

built for people to take their families out on, not for the tractor trailers from the Mainland. And the minister got up today and smart alecky says, Oh yes, but the R.C.M.P. are a great national force doing their job and they have these CB radios in the tractor trailers and they are calling ahead saying, watch it old buddy because we just passed an R.C.M.P. car or the radar is hidden away down here. That is what they are doing and the R.C.M.P. are practically non-existent and it is not good enough for the minister to shrug his shoulders and brush it off as if it was not worth talking about, as if it is a bit of a bother to him. It is a real problem in this Province, Mr. Speaker, especially this time in the year. And I call upon the minister now to take some action, take whatever action is necessary at as early a date as possible, to cut down the hazard of these tractor trailers moving over our highways especially this time of the year. One thing the minister could do is insist that the R.C.M.P. check these tractor trailers when they come ashore in Port aux Basques to see if the drivers have been rested, if they have had their rest or if they have been drinking. Mr. Speaker, the R.C.M.P. are smart enough to go after the people of Corner Brook after eleven or twelve o'clock at night or down in Port aux Basques. Ordinary people coming out in their cars after midnight are stopped religiously by the R.C.M.P. And the tractor trailers just come in and barrel down that killer mile of road, coming off the ferry there in Port aux Basques, and they are not stopped. They have never been stopped to my knowledge and it is about time that the minister made some representation to the R.C.M.P. to check these tractor trailer operators, to see if they are a hazard to the people who are out driving their families on weekends and holidays and whenever they have to go on business or go to school.

So, I would like to call upon the minister now to tell this House what he is going to do about that problem because it is a real problem, Mr. Speaker, and our people are scared certain days of the week and certain times of the day to go out and take their families out on the Trans-Canada Highway.

December 6, 1979

Tape No. 1681

IB-3

MR. SPEAKER (SIMMS): The hon. Minister of Transportation and
Communications.

MR. BRETT: Mr. Speaker, it breaks my heart to say so
but there may be some merit to what the hon. member is saying.
In the last month or so there have been accusations made against
tractor trailer drivers going across the Province.

MR. BRETT: I am not going to get up this afternoon here in the House and make any accusations, because I cannot prove them, and as I indicated in the Question Period this afternoon I would like to think that the RCMP are doing their job. It is not right to say that -

MR. JAMIESON: You know, on this (inaudible) charges laid (inaudible).

MR. BRETT: That is at Motor Registration, I imagine, it could be checked out.

What the hon. member said is true, that when the drive was finished in 1965, that the Trans-Canada Highway at that time was not designed for the type of traffic that we have today. That is very true, and the result of that could be seen in the last two or three years. That is the reason why we have had to spend the \$60 million, or we will \$60 million at the end of next year. The last two years we have spent \$42 million and this year we will spend the remaining \$18 million which will make up the \$60 million. But anybody who has driven across the Island, the Trans-Canada, can see that the shoulders of the road have been paved, we have passing lanes, slow lanes, what have you, or some of the turns - I suppose there were no real bad turns - but some turns that did exist have been taken out, the places where the pavement was broken, it has been repaved. Certainly, there have been an awful lot of improvements made in the Trans-Canada Highway in the last two years and will continue next year. So that should have some effect on the tractor trailers that are travelling across the Province. Again, I cannot prove these accusations against tractor trailer drivers being drunk or speeding down the highway, you know, I cannot say that that is true. If some hon. member in the House is aware that this is happening, I think that you would be doing your civic duty if you wrote down the licence number of that truck and reported it to the RCMP. I fail to see why they would be afraid to stop a tractor trailer driver any more than they would be afraid to stop me.

MR. BRETT: As far as the CB's are concerned, again I would have to repeat what somebody said in Question Period, maybe the hon. member has been watching too much of Smokey the Bear. I do not necessarily agree that what they are doing is correct any more than flashing one's headlights should be, but I am sure that the hon. member there has passed cars when the oncoming drivers flash their headlights. There is not very much that the RCMP can do about it. It is done and it does warn anybody approaching a radar or an RCMP car that the RCMP are in the vicinity, and I think, you know, most people here recognize that sign. Again, I do not know what the RCMP can do about it. It is not illegal to have the CB's in the trucks. I would assume that if they were doing anything against the law that their licences would be revoked. I fail to see that very much could be done about it. One thing that upsets me about tractor trailer drivers and about road accidents is that nine times out of ten, when there is an accident in the Winter, we will get an RCMP report that says the roads are slippery. If there is an accident in the Summer, you will get a police report that says there is an accident, the cause is being investigated. If you get an accident in the Winter, you get a police report saying there has been an accident, the roads are slippery, and that happens every time. I, too, would like to see the RCMP send in correct reports rather than saying every single time that the road is slippery. I acknowledge that there may be some merit to the hon. member's comments, and I will look into it.

MR. SPEAKER: (Simms) Order, please!

On motion, the House at its rising
adjourned until tomorrow, Friday, at 10:00 a.m.

I N D E X

ANSWERS TO QUESTIONS
TABLED
THURSDAY, DECEMBER 6, 1979

RESPONSE TO QUESTION(ORAL) ASKED IN THE HOUSE OF ASSEMBLY
BY HON. STEVE NEARY

The question asked for a list of Contracted Expenditures on the Gull Island Hydroelectric Development.

ANSWER

As of December 31, 1978, expenditures on the development, as contained in the audited accounts of the Gull Island Power Company Limited aggregated \$88,990,000.

Considering only companies to whom amounts of approximately \$100,000, and over, were paid, the following categorization is provided herewith. There may be slight variances in the figures but Hydro believes they are highly representative of actual payments.

Attached also, is a list of the Companies involved as well as the actual amounts paid them.

CATEGORIES

GULL ISLAND POWER SITE

	<u>\$ Millions</u>	
1) Contractors and/or Suppliers (see Appendix)	11,338	
2) Consultants - Lower Churchill Consultants	8,199	
3) Sundry Procurement and expenses (under \$100,000)	<u>4,085</u>	23,622

HVDC - 400 KV DC SYSTEM

1) Contractors and/or Suppliers (see Appendix)	2,449	
2) Consultants - Teshmont	7,856	
3) Sundry Procurement and expenses (under \$100,000)	<u>511</u>	10,816

STRAIT OF BELLE ISLE
TUNNEL CROSSING

1) Contractors and/or Suppliers (see Appendix)	13,457	
2) Consultants:		
Teshmont \$ 3,284		
Patrick Harrison 7,141	10,425	
3) Sundry Procurement and expenses (under \$100,000)	<u>708</u>	<u>24,590</u>
		\$59,028

ADD:

Owner's Costs (Hydro, CFLCo & GIPCo)

Power Site	2,593	
HVDC T.L. System	1,151	
Straits Crossing	237	
Corporate Overheads	<u>4,340</u>	8,321
		<u>21,641</u>
TOTAL		<u>\$88,990</u>

Item	Date Called	Public Low Bid		Comments	No of Bidders	1975 August 10	
		Tender	Award			Successful Tenderer	Final Amount
<u>Gull Power Site</u>							
Catering Services	April 2/75	Yes	Yes	Completed	3	Bona Vista Food	705
Camp Well Drilling	Aug 11/75	Yes	Yes	"	4	Deschenes Drilling	154
Access Road-Gull-Goose	July 30/75	Yes	Yes	"	3	Lundrigan's	2,585
Access Road-Gull-Churchill	Aug 1/75	Yes	Yes	"	2	H.J. O'Connell	1,710
Const. Camps-Installation	Aug 28/75	Yes	Yes	"	3	Lundrigan's	1,074
Foundation Drilling Phase I	April 10/75	Yes	Yes	"	3	Eastern Exploration	440
Foundation Drilling " II	June 5/75	Yes	Yes	"	3	Eastern Exploration	925
Hydro Graphic Survey	June 25/75	Yes	Yes	"	4	Atlantic Survey	94
Supply Corr. Steel Pipe	July 9/75	Yes	Yes	"	5	Armco Canada Ltd.	181
Trailer Repairs	July 23/75	Yes	Yes	"	3	Atco (Quebec) Ltd.	151
Bunk House Complexes	July 23/75	Yes	Yes	"	3	Atco (Quebec) Ltd.	462
Bunk House Complexes	Nov 19/75	Yes	Yes	"		CFLCo	215
Marine Transportation	Aug 13/75	N/A	N/A	" (Negotiated)		Chimo Shipping Ltd.	556
Supply - pipe	Aug 20/75	Yes	Yes	"	4	Canron Ltd.	133
Diesel Gen. Sets	Aug 14/75	Yes	Yes	"	3	Harvey & Co. Ltd.	339
Dormitories	Aug 25/75	Yes	Yes	"	5	L'Islet Industries	742
Supply Fuel	Nov 14/75	Yes	Yes	"	2	Imperial Oil Ltd.	387
Helicopter Rental	July 21/75	N/A	N/A	" (Negotiated)		Universal Helicopter	234
Pipe Insulation	Aug 13/75	Yes	Yes	"	3	Uricon	190
					Total		<u>11,338</u>
<u>HVDC Project</u>							
Survey (mile 415-481)	May '75	Yes	Yes	Completed	5	T.G. Scammel	201
Survey (mile 250-305)	1974	Yes	Yes	Completed	4	Canning & Mortall	138
Survey (mile 197-250)	1974	Yes	Yes	Completed	5	E.G. Granter	188
Survey (mile 540-599)	June '75	Yes	Yes	Completed	3	Central Surveys Ltd.	90
Survey (mile 1 - 120)	Apr '75	Yes	Yes	Completed	3	J.D. Barnes Ltd.	415
Survey (mile 374-415)	July	Yes	Yes	Completed	4	Atlantic Surveys Ltd.	126
Meteorological Inves.		Yes	Yes	Completed	2	Meteor Research Inc.	136
Aviation Fuel		Yes	Yes	Completed	3	Shell Canada	98
Handling of Fuel		Yes	Yes	Completed	3	Gander Aviation Ltd.	77
Helicopter Rental		N/A	N/A	Completed (Negotiated)		Universal Helicopter	980
					Total		<u>2,449</u>
<u>Strait of Belle Isle Cable Crossing</u>							
Supply & Installation of Cladding							
3 Doors for Headframe & Collar House	Sept 5/75	Yes	Yes	Completed	2	Robertson Bldg.	301
Erection of Constr. Camps	Dec 11/75	Yes	Yes	Completed	5	Ken White	748
Provision of Land Transport on Lab. & Hfld. Coasts	Sept 23/75	Yes	Yes	Completed	3	Crosbie Trans.	212
Shaft Steel	July '75	Yes	Yes	Limited to Hfld-work compl.		McNamara Ind.	657

SUMMARY OF CONTRACTS VALUE BY

1975 August 10

Item	Date Called	Public Tender	Low Bid Award	Comments	No of Bidders	Successful Tenderer	Final Amount
<u>Strait of Belle Isle Cable Crossing (cont'd)</u>							
Cement Supply	Sept '75	Yes	No	Nfld. Preference-work compl.	2	Northstar Cement	97
Supply Fuel & lubricants	Sept 25/75	Yes	Yes	cancelled	2	Golden Eagle	602
Catering						Eastern Catering	63
Sea Transportation	Jan '76	N/A	N/A	Completed (Negotiated)		Chimo	418
Design, Supply & Del. & Erect. of Steel Bldgs. for Housing Diesel Generators (Both sites)	Aug 4/75	Yes	Yes	Completed	6	Holden Constr.	427
Const. of Access road & Fences	May '75	Yes	Yes	Completed	6	Chauk's Transp.	761
Dismantle & Re-erect. of Diesel Generating Sets	Aug 12/75	Yes	Yes	Cancelled	6	Bedard-Girard Nfld.	657
Foundation for Bldg. & Shaft Collar (Both sides)	Aug 12/75	Yes	Yes	Work complete	2	Pinsent Constr.	2,375
Supply & install, of Struc. Steel For Headframe (Both sides)		Yes	Yes	Limited to Nfld. work complete	4	Easteel Ltd.	1,517
Sinking of Shaft at Lab. Terminal	Aug 28/75	Yes	Yes	Cancelled but not finalized	2	Cementation	778
Sinking of Shaft at Nfld. Terminal	Sept 11/75	Yes	Yes	Cancelled but not finalized	2	Cementation	778
Dismantle, Refurbishing, Moving & Erecting CIR Hoist	Apr 27/76	Yes	Yes	Cancelled but not finalized	3	Cementation	317
Dismantle, Refurbishing, Move & Erect Nordberg Hoist	July '75	Yes	Yes	Cancelled	3	Central Rigging	356
Diesel Generator Underleases	Oct '75	Yes	Yes	"	4	Legger & Sons	116
Diesel Storage Tanks	Nov '75	Yes	Yes	Completed	5	Brock Engineering	106
Generator Parts	Nov '75	Yes	Yes	"	4	Hawker Siddeley	148
Diesel Generators	Oct '75	Yes	Yes	"	5	Hickman Equipment	656
Generator Rentals	Nov '75	Yes	Yes	" cancelled	5	Hickman Equipment	195
Seismic Studies	Dec '75	Yes	Yes	"		Teshmont	222
Geological Survey	Dec '75	Yes	Yes	"		Teshmont	147
Electric Motor Drive & Equip.	Oct '75	Yes	Yes	"	4	DuRuesse	175
Air Compressors	Oct '75	Yes	Yes	"	5	Joy Manufacturing	248
Refurbishing Electric Motors	Oct '75	Yes	Yes	"	5	Montreal Armature	165
Concrete Aggregate	Dec '75	Yes	Yes	"	3	Lundrigan's	115
C.I.R. Hoist	May '75	Yes	Yes	"	4	Upper Canada Resource	100
					Total		13,457
<u>Engineering - All Sites</u>							
Hydro Site Design & Management		N/A	N/A	Letter of intend		Lower Churchill Consultants	8,199
Transmission Lines & Converter Stns. April '74		N/A	N/A	Contract Negotiated		Teshmont Consultants	11,146
Strait of Belle Isle Tunnel Crossing		N/A	N/A	Note: Sub-Consultant on Tunnel work selected by Teshmont		Patrick-Harrison & Co. Ltd.	7,141
					Total	3 Teshmont	26,486
TOTAL - ALL MAJOR CONTRACTS OF \$100,000 +							53,724