

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD  
3:00 p.m. - 6:00 p.m.  
MONDAY, NOVEMBER 19, 1979

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

STATEMENTS BY MINISTERS:

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, in response to a number of questions since the House opened as they related to employment and unemployment in the Province, I would like to make the following statement.

It gives me much pleasure to inform this hon. House that our Province is experiencing its strongest employment growth since 1973.

For the first ten months of 1979, we have recorded a net increase of 10,000 jobs compared with an annual net increase of 3,000 jobs over the past five years.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: At the same time, our working population has shown a net increase of 9,000 people.

In effect, we are now creating jobs faster than the growth in our workforce and, as a result, we have recorded a drop in the Province's unemployment rate.

For the first ten months of 1979, the unemployment rate averaged 15.7 per cent, down from 16.6 per cent for the same period last year. The rate began to drop in April and by the third quarter of this year (July to September) stood at 12.1 per cent, its lowest level since 1976.

The upswing in employment has taken place in the period April to October. Most of the increase has benefitted men in the prime working age category of 25 to 44 years of age, though there is also an encouraging increase among other male and female workers.

The principal source of increased employment is the primary industries sector which includes fishing, logging and exploration for mineral and offshore oil and gas resources. Significant employment increases have also been reported in the construction and

PREMIER PECKFORD: . . . manufacturing sectors. This is due, to a great extent, to government expenditures on construction projects and to the recent swing toward resource industry development. The services and government sector has neither increased nor declined in employment during 1979.

The growth in Newfoundland's economy in 1979 will continue to receive a boost from the strong advances achieved in the goods-producing sectors. Fish landings continue to increase rapidly as they have since 1976, largely as the result of improved control of, and access to our own fishery resources. Mining output has risen dramatically because of increased iron ore production over the last year when the industry suffered the effect of a prolonged strike. Construction activity has increased because of increased house-building and private industrial construction and as a result of considerable government-financed construction of highways and hydro-electric projects.

Premier Peckford: Manufacturing has experienced the benefits of increasing fish processing and full capacity production in the newsprint industry along with encouraging increases in output amount the Province's various other manufacturing industries. The service sectors have also had a good year in 1979 as evidenced by employment increases in the trade and personal and business services sectors. This broad increase in economic activity will have a strong effect on incomes earned by both individuals and businesses in Newfoundland in 1979.

Even with the increases in employment and income experienced in 1979, Newfoundland continues to feel a strong seasonal pattern in its economy. The bright economic performance of 1979 has helped alleviate our serious unemployment situation. But this government will continue to work toward developing a more stable year round economy which will provide greater security for Newfoundlanders through its policies toward resource development and greater economic self-reliance.

I am pleased, Mr. Speaker, to present this to the House.

SOME HON. MEMBERS: Hear, hear!

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

MR. E. ROBERTS: Well, Mr. Speaker, in the absence of the Leader of the Opposition, and in the absence of my colleague, the member for Terra Nova (Mr. Lush) who is our spokesman on these matters - both of whom, I may tell Your Honour, are about public business, the public weal in another place, but in this Province - may I say a few words with respect to the Premier's statement.

Let me begin by saying that I regret the Premier has fallen away from the standard which he earlier established, the practice which he earlier told us would be adopted by him and by his colleagues of letting people on this side have copies a little in advance of Ministerial Statements. I am sure the Premier's failure to supply us with it is inadvertent, and I do not raise the matter in any critical sense, but I would like to say that we did appreciate his kindness in undertaking to do here as it is done in Ottawa, I believe, to provide

Mr. Roberts: spokesmen on this side a little in advance with statements. This would make comments in response to Ministerial Statements, Mr. Speaker, a little better, and I would suggest that would help all concerned. So let me say that I hope the Premier will be able to revive the practice which he had hitherto begun.

Well, Mr. Speaker, I think we on this side should begin by welcoming the news contained in the Premier's statement. I am not sure how new it is. His colleague, the Minister of Labour and - whatever it is Labour and Manpower (Mr. Dinn) had already released exactly this information to the House several days ago in response to probing questions from one or the other of my colleagues on this side. Nonetheless it is good news that at long last the number of new jobs being created in Newfoundland and Labrador is greater than the increase in the work force. And no person in this Province concerned with the public interest could do anything other than to welcome it, and we do so unreservedly.

MR. ROBERTS:

Mr. Speaker, having said that, I believe it is fair to go on to say that this very significant step forward is in no way the result of any action or any omission by the government of this Province. The Premier named a number of the economic sectors and showed the advances in them, and I think it is fair to say that in each case the advance is the result either of action by the Government of Canada - and there, I might say, the former administration, not the present one. The effects of the policies of the present administration have not as yet been felt; they will be, I fear - or the result of private sector activity, as, for example, the iron ore industry where, of course, the strike was settled, no thanks to the government; it was settled in the normal course by the company and by the union representing the employees and the result is people are back to work.

Mr. Speaker, the prime reason why our economy today is more buoyant than it has been for some time is surely the decrease in the Canadian dollar as against the American dollar. And that has acted greatly to benefit our export industries, particularly the fish and the pulp and paper sectors, both of which are extraordinarily buoyant and both of which are contributing very much to the economic well-being of this Province.

Sir, this is not the opportunity for a debate on the economy. I wish we were to be allowed to debate the economy, because I wish we were to be allowed to debate energy in this House but apparently that is not the government's wish. We are allowed a few comments and so I felt it appropriate to make them and, as I say, the increase in our economic activity is to be welcomed but it should be noted that this government cannot claim nor did the Premier, to give him credit, nor did he attempt to claim any credit at all for this very favourable economic activity. It is no thanks to him, it is no thanks to his colleagues, it is no thanks to the policies of this administration. Let us give credit where credit is due, Sir. Let us welcome the good news and let us hope that the

MR. ROBERTS:                   example of the Government of Canada infects the present Government of Canada, infects the present government of this Province so that we can see some meaningful contributions being made by them towards the development of this Province's economy.

SOME HON. MEMBERS:           Hear, hear!

MR. SPEAKER: (Simms)       Hon. Minister of Tourism, Recreation and Culture.

MR. POWER:                   Mr. Speaker, several months ago, the government made a decision to have the advertising and promotion programme of the Department of Tourism, Recreation and Culture carried out by a provincial company as opposed to the previous policy of using a Toronto or Montreal based firm. This decision by government was based on the firm belief that we have within this Province a viable and growing advertising industry with the necessary expertise to handle the tourism advertising account. The Department of Tourism, Recreation and Culture will spend almost \$600,000 this year in our Tourism advertising programme. We, in the department, realize that this money must be spent wisely if we are to receive full value in the competitive tourist market. Again, I am convinced that by having the advertising agency right in our own back yard the opportunity for increased productivity is greater. On October 12th and 13th the Department of Tourism, Recreation and Culture placed advertisements in the local newspapers for an advertising agency. A total of seventeen fully owned Newfoundland companies responded to this advertisement. All received the necessary documents and information on which to base their proposals. As of the October 25th. deadline, a total of nine fully completed proposals were received by the Director of Tourist Services.

MR. POWER: These nine proposals by Newfoundland companies were thoroughly evaluated by a committee composed of Tourist Services, Treasury Board and the Department of Industrial Development. Therefore, I am delighted and proud to be able to announce today that Saga Communications Limited, a wholly-owned Newfoundland and Labrador company, will become the agency of record for the Department of Tourism, Recreation and Culture.

We in the Department of Tourism realize that this is a radical departure from past procedures; however, it is being done in conjunction with this government's policy of supporting local industry and assisting in every way possible the employment of our workforce. Even more importantly, Mr. Speaker, it is in keeping with the basic philosophy of this government that Newfoundland and Labrador has come of age, that we are capable of managing our own affairs, and that we, as citizens in this Province, need take a second seat to no one in Canada, North America or the world.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER: (Simms)

The hon. the member for Carbonear.

MR. R. MOORES:

Mr. Speaker, in the absence of my colleague from Lewisporte (Mr. F. White), who is the Opposition spokesman for Tourism, I have been asked to make a brief comment on the minister's statement.

Let me say on behalf of all of my colleagues on this side that we are extremely delighted with this statement. After seven years in this House we have been pleading with the government of this Province to do exactly what it decided to do today.

Long before my time, Mr. Speaker - I am here now, this is starting my fifth year - my hon. colleagues from the Strait of Belle Isle (Mr. Roberts) and Trinity - Bay de Verde (Mr. F. Rowe) would surely confirm that I am not exaggerating when

MR. R. MOORES: I say seven years is a long time to be asking the government of this Province to heed our call to employ a Newfoundland agency in advertising our tourist potential and to employ Newfoundlanders in that agency.

We are delighted, Mr. Speaker, that the minister has taken this decision and we hope that it is just an indication of his ministerial policy in the future. Thank you.

SOME HON. MEMBERS: Hear, hear!

ORAL QUESTIONS

MR. SPEAKER: (Simms) The hon. the member for Trinity - Bay de Verde.

MR. F. ROWE: Mr. Speaker, in the absence of the acting Minister of Fisheries (Mr. Goudie), I would like to address a question to the Premier with respect to the Fisheries Development Corporation of Newfoundland. As you know, Mr. Speaker, it is the corporation to co-ordinate the development of the primary landing and distribution port or centre.

Now, Sir, in view of the fact that this centre was estimated to cost \$500 million over the next five years and this year we have seen a vote of only \$100,000, which represents something in the order of .2 per cent, which can only be interpreted as a token vote for the development of this particular port, would the Premier be kind enough, Sir, to explain why, in fact, we only have .2 per cent of the total estimated cost for this distribution port

MR. F. ROWE: this year in the budget and does this reflect the government's policy or lack of priority on the development of this particular port, Harbour Grace?

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

PREMIER PECKFORD: Mr. Speaker, it was the first time that I heard the figure \$500 million for the development of the port. I think the hon. member in using that figure implies that the Government of Newfoundland and/or the Government of Canada would have to be involved in the \$500 million expenditure in order to bring about the central port and distribution centre at Harbour Grace. So I question that \$500 million figure because it has certain implications in the way the question was phrased.

The reason why there is only \$100,000 in there this year, Mr. Speaker, is not because we are not eager to pursue this concept. It is because the \$100,000 is for the acquisition of land and getting the site ready for development. The major thrust for the development of Harbour Grace will come through a proposed DREE agreement which is now in the hands of the federal authorities and with the resolution of the present disagreement between the Government of Newfoundland and Government of Canada over the disposition of the Northern cod stock.

MR. F. ROWE: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Trinity - Bay de Verde.

MR. F. ROWE: The Premier is quite correct, Mr. Speaker. The \$500 million was a stated cost over a five year period, \$250 million to come from governments and \$250 million to come from, supposedly, the private sector. But, Sir, I still have not got the answer to the question; probably I can rephrase it another way. In view, Sir, of the fact that the member for Placentia (Mr. W. Patterson) during the consideration of the estimates, called the Hallogg report "a phoney document" and said that the whole proposal for the super-port "absolutely stinks", I was wondering if the Premier or the government has had any change in attitude at all, or philosophy of

MR. F. ROWE: change in priority with respect to the development of the superport in Harbour Grace?

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

PREMIER PECKFORD: Mr. Speaker, I have, on a number of occasions in the last number of weeks and months, indicated the policy of the Government of Newfoundland as it relates to Harbour Grace, both privately to agencies in Harbour Grace, to the Minister of Public Works and Services, the member for Harbour Grace district (Mr. H. Young) and publicly in various meetings around the Province, that the Government of Newfoundland has made an application to a federal agency, DREE, for the shared funding of a facility at Harbour Grace and that application is now before federal government.

PREMIER PECKFORD: The whole question of the success of that application depends largely upon, as I indicated earlier, the disposition of the Northern cod stock and the present disagreement between the federal authorities and the provincial authorities over the disposition that that cod stock will take and over the whole questioning of licensing policy and the probability, hopefully the reality, of assigning a number of trawlers to that particular facility.

MR. F. ROWE: A supplementary, Mr. Speaker.

MR. SPEAKER (SIMMS): Final supplementary, the hon. member for Trinity - Bay de Verde.

MR. F. ROWE: Mr. Speaker, surely this is a classic case of putting the cart before the horse. One would have thought that an assessment of the Northern cod stock and what have you would have been done before this grand announcement for the superport was made. Sir, is the Premier saying now that there has been no change of attitude whatsoever on the part of the administration with respect to the building of the superport or the carrying on of the Fisheries Development Corporation of Newfoundland? Is he saying everything is going ahead full steam ahead? And could he give some indication as well, Sir, - the Premier has mentioned the fact that an application is before DREE, presumably for the \$250 million, the shared costs between the two governments, what about the other \$250 million from the private sector? Could the Premier indicate what progress has been made with respect to attracting private enterprise money into the Province for the purpose of getting that extra \$250 million? And could he also in answering that question explain why, after the great announcement of the superport, we are really now assessing the Northern cod stocks? Should not this have been done before the announcement was made, prior to an election?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I had no involvement with the announcement at Harbour Grace. All I can tell the hon. member is that there is an application presently before DREE and, of course, that must go through an assessment procedure which has started as it relates to the Northern cod but more particularly upon the disposition of the Northern cod stock, that is Newfoundlanders versus non-Newfoundlanders, and secondly, as it relates to the whole question of offshore fishing capability on the Northern cod stock or mid-shore capability on the Northern cod stock, because that is very important for the whole question of the viability of Harbour Grace.

Now the third point has to do with the hon. member raised the issue of \$500 million gain. \$500 million is a figure which I have already indicated to the hon. member that I do not accept and, therefore, I do not know if there was somebody who said that there would be a fifty/fifty cost sharing with the private sector, \$250 million and \$250 million. These are figures that I am not familiar with in my discussion of the whole question of Harbour Grace. I am familiar with figures, but I am not familiar with these figures. So the DREE application

PREMIER PECKFORD: is not one which hinges on \$250 million worth of investment.

Fourthly, Mr. Speaker, yes, there has been a lot of interest shown by the private sector in investing in this facility. There have been a number of meetings held, quite a few meetings held, with people in the fishing industry and outside the fishing industry who want to get involved, who are eager to participate in investing funds in this kind of facility in Harbour Grace.

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

MR. ROBERTS: Mr. Speaker, my questions would be for the Minister of Health and they grow out of the announcement made on the weekend by, I believe, Mr. Locking, the General Secretary - is he? - of the Newfoundland Association of Public Employees, I am not sure of his title but as a senior spokesman for the NAPE Union, Can the minister begin by telling us exactly which hospitals in the Province will be affected if the employees represented by NAPE, and belonging to I believe it is called, the Hospital Support Group or the Hospital Services Group of employees within NAPE, if they do carry through with their announced intention to go on strike? I understand such a strike would be lawful assuming a given number of days elapse; the required notice has been given under the Public Service Staff Relations Act.

MR. SPEAKER: The hon. Minister of Health.

MR. HOUSE: Mr. Speaker, there are a number of hospitals, and, of course, the hospitals have individual contracts, I guess, with the NAPE or CUPE unions and there are a number that come under one CUPE and another group that comes under NAPE, There have been seven to my knowledge, and I do not know all of them, I know there have been seven institutions, and they are not all hospitals; two of them are senior citizens homes, and they come under the same agreement, and five hospitals. We have, the Treasury Board, the Department of Labour has been notified of this

MR. HOUSE: and the names I can recall, Springdale is one, Lakeland Homes in Gander, I think, is another one -

AN HON. MEMBER: That is a senior citizens' home.

MR. HOUSE: Yes, and there is one other senior citizens home and a couple of the cottage hospitals, I think. I do not know the exact -

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

MR. ROBERTS: Thank you, Mr. Speaker. Your Honour anticipated I was about to ask a supplementary, and, as always, Your Honour is dead on.

Can the minister tell us, please, what contingency steps he is taking to deal with the possibility - and I hope at this stage it is no more than a possibility - of a strike? particularly if, as I understand may well be the case, lawful strikes are carried out by the - well, I will wait until the gentleman from St. John's East Extern is finished, because I do want the minister to hear the question. But he certainly can take advice from his colleague as he wishes.

Mr. Roberts: Mr. Speaker, particularly if, as we expect, You know, notices of stike action are served in respect to some of the larger hospitals here in St. John's. And the minister, I think, will agree that even though he may not have had formal notices yet, the Health Sciences Centre and the Janeway, I believe, are also on the potential strike list, as well as some of the larger hospitals outside of St. John's.

Could he tell us, Sir, what contingency steps he is taking? What steps he is taking to prepare for such a strike should it come about that it does, in fact, happen?

MR. SPEAKER (SIMMS): The hon. Minister of Health.

MR. HOUSE: Mr. Speaker, only the normal things that can be done. One of the things, of course, is the gearing down at the hospitals, and getting as many people home or to other institutions as possibly can be done. As the House knows, the union usually gives a seven days notice, and they are in a legal position to strike after seven days.

MR. ROBERTS: They are required by law to do that.

MR. HOUSE: Yes. Well that, I think, is the thing that has to govern us at this particular point in time, that anytime after the seven days they may go on strike. So every base has been covered and the hospitals have geared down to that.

There is a problem, of course, with that. If the unions do not go on strike, or the union does not go on strike at that particular time, they can hold it in abeyance for a number of days and can strike anytime after that. And it is a very difficult situation to be in. But I contracted - well, my staff has been contacting all the places, of course, who have gotten notice, and, of course, they are taking the necessary precautions, and one is, of course, no admittances, and the other is getting as many people home as possible.

MR. SPEAKER: A final supplementary?

MR. ROBERTS: Yes.

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

MR. ROBERTS: Thank you, Mr. Speaker. You know, obviously this is the final one, as Your Honour says, but I will be asking another question if I can later on, because the matter is too important because, obviously, no steps are being taken to guard against it.

Can the minister then tell us, please, whether the government will be using the power conferred upon them under the legislation to designate some, if not all, the employees in these institutions as essential? The effect of that designation, of course, as the minister realizes, is to take away from these employees the right to strike lawfully. It does not stop from striking, it simply stops from striking lawfully. Can the minister tell us whether any employees are going to be designated as essential or are we just going to sit back and watch by far the larger part of the hospitals in the Province closed or try to stagger on without the help of - what? - two-thirds of the staffs affected? Maybe two-thirds.

MR. SPEAKER (MR. SIMMS): The hon. Minister of Health.

MR. HOUSE: Mr. Speaker, there has been some problem with that particular topic, the designation of essential people. I want to say also that - the member says obviously nothing has been done. There is very little that can be done when you are talking about strike action, you have notice of strike action, except the

MR. HOUSE: precautions, except the steps that are being taken and that is to gear the hospital down as much as possible.

The fact about the essential employees is a very complicated one, and I think there has been a ruling quite recently that you have to designate the people rather than the positions.

This is a topic of discussion that is going to be between the three divisions concerned, the Department of Labour, Treasury Board and ourselves, at a meeting, hopefully, sometime this week.

MR. ROBERTS: Mr. Speaker.

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

MR. ROBERTS: Another question, if I might.

MR. SPEAKER: Seeing nobody else standing.

MR. ROBERTS: Well, one or two of my colleagues was kind enough perhaps to forbear.

Could the minister tell us, please, while we are on - you know, it is obviously a critically important matter - could he tell us what steps he, as the Minister of Health, is taking with a view to seeing if the negotiations which have not been successful in resolving the matters in dispute between the employers and employees - can he tell us what steps he, as Minister of Health, is taking to try to get these back together, given that while he may not lawfully be the employer, in the long run, the hon. gentleman from Humber Valley (Mr. House) is responsible for the administration of health services in this Province and for ensuring that the people of this Province have access to adequate health care services?

MR. SPEAKER: The hon. the Minister of Health.

MR. HOUSE: Mr. Speaker, as the hon. member knows, the negotiating body in this particular case is Treasury Board, of course, and we have continuous input to Treasury Board. I know they are doing everything they can to prevent a strike in this Province.

MR. ROBERTS: Mr. Speaker, a supplementary.

MR. SPEAKER: (Simms) A final, final supplementary.

I believe your colleague from Torngat Mountains (Mr. Warren) is waiting.

MR. ROBERTS: I thank you. And then I think my friend from Torngat Mountains has some pointed and probing questions which will doubtless not be answered by the government.

Mr. Speaker, a question for the Minister of Health (Mr. House). It is obvious he has done nothing - let me ask him again, has he as the Minister of Health, done anything at all to try to head off or to prevent a strike that could conceivably close down a very large part of the hospitals in this Province?

MR. SPEAKER: The hon. the Minister of Health.

MR. HOUSE: Yes, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Do you want to tell us what?

MR. SPEAKER: The hon. the member for Torngat Mountains.

MR. WARREN: Mr. Speaker, my question will be to the Minister of Health. Could he spell out what he has done to prevent a strike.

SOME HON. MEMBERS: Oh, oh!

MR. HOUSE: I did not get the question.

MR. ROBERTS: Spell out what you have done.

MR. HOUSE: Mr. Speaker, I do not want to treat this lightly, but what I did say in response to the member for the Strait of Belle Isle (Mr. Roberts) was that we have put into place the normal contingencies that we can put into place for gearing down the hospitals in the event that NAPE calls a strike, and

MR. HOUSE: of course, not being the negotiating body, we are in constant consultation with Treasury Board and we are not going to stand up in the House of Assembly and state our negotiating stance.

MR. ROBERTS: You have done nothing.

MR. SPEAKER (Simms): The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, in the absence of the Minister of Rural, Agricultural and Northern Development I have a question for the Premier. In light of a recent press release by the minister saying that he was phasing out thirty-one regional pastures throughout the Island, and also taking into consideration that some of those community pastures do not yield the best possible feed; for example, the community pasture on the Bonavista Peninsula where there are over 300 cattle practically starving, would the Premier tell this House if his department or the government intends to improve those community pastures before they are passed over to the private sector?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I am aware, in general, of the question and the substance of the question that the hon. member puts. I know that the Minister of Rural, Agricultural and Northern Development is working on it with the various pastures, and I would imagine that each particular pasture will be treated in a different way because they are not all up to the same standard, nor do they all have the same problems. There is one that the hon. member refers to in Bonavista, there are a number on the Avalon, there are a number, I know, down in St. Mary's Bay, there are a number on the West Coast, there are some in my own constituency and they all vary in how far along they are in the development stage so that, therefore, I imagine the amount of capital funds that will be forthcoming will depend largely upon how far advanced each of the particular ones are. It is a programme to involve the farmers and the local agricultural societies a bit more than we have in the past and to make it sort of

PREMIER PECKFORD: a shared jurisdiction rather than just by government. There have been a lot of complaints by individual farmers in various areas because they say that a lot of the agricultural representatives think they know it all - somebody from Grand Falls or somebody from St. John's goes out and tries to tell the farmer how to run his pasture and so it is an attempt by government to try to share the jurisdiction and some of the cost with the local agricultural societies. But we recognize that each particular pasture has its own particular problems and therefore we must keep that in mind in trying to finalize a capital budget for next year that might reflect some additional improvements to some of the pastures.

MR. SPEAKER (Simms): A supplementary. The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, in view of a release in a daily paper over the weekend that proposals have been asked from the private sector, would the Premier tell us if there will be any tendering or will it be just proposals from individuals? As these community pastures would be considered government property, will it be just by proposals from any individual person or will it be by tender?

MR. SPEAKER: (Simms)

The hon. the Premier.

PREMIER BECKFORD:

Mr. Speaker, I guess words are important here and the fact that proposals are being called is, in essence, tendering in the sense that we are looking for people in the given area who are very interested in it to help in the operation of these pastures. So I do not know if one wants to split words between proposals and tenders but it is an honest attempt by government to try to find out just how many individuals or groups around are interested in running pastures in the particular areas.

MR. SPEAKER:

A final supplementary. The hon. member for the Torngat Mountains.

MR. WAPFEN:

Mr. Speaker, my final supplementary will be in two parts. When those community pastures are transferred to the private sector, I am just wondering if the Premier could tell us if the cost to the cattle owners would be substantially more than it is at the present time and if so - the second part of the question probably is a different question altogether but if it is going to be transferred to the private sector, does the Premier foresee an influx of jobs created by this move or is there going to be a reduction in jobs?

MR. SPEAKER:

The hon. the Premier.

PREMIER BECKFORD:

There are two answers that I can give to the two questions that have been asked, two final answers to two final questions. One, it will depend upon the proposals that come in as to how many are actually transferred. If the proposals are, to classify a colloquialism, 'lousy' proposals, then, therefore, we will not transfer them. They must be responsible proposals and responsible people doing it. Secondly, whether there will be additional jobs will depend again upon the proposals and whether the proposer is actually looking at expanding the pastures or whatever. So the answer to the question in short is, it depends

PREMIER PECKFORD: a lot on the proposals because government does not intend nor does the department intend to just pass them over and allow a given group or a given individual to do what he likes with the pastures. They are there to try and enhance agriculture and therefore we must be very careful before agreeing to any kind of proposal. That is the kind of thing that we want to see done over the next few years.

MR. WARREN: Mr. Speaker.

MR. SPEAKER: (Simms) A new question. The hon. member for Torngat Mountains.

MR. WARREN: I think the Premier misinterpreted my first question. It was, if it is transferred over to the private sector could he assure the House that the cost to the cattle owner who is going to put his cattle in those pastures would not be too substantially more than the cattle owner is presently paying while it is operated by government? That was my question.

MR. SPEAKER: The hon. Premier.

PREMIER PECKFORD: It will depend, Mr. Speaker, because pastures are used for more than cattle. There are sheep and there are goats and other animals on pastures. There is not just cattle. It will depend, I suppose, in large measure on how much they are being used and how much the farmers are now involved in assisting in a given pasture. In some areas I can see where a pasture is used a lot because there are a lot of farmers in that area and, therefore you might not see - it could be a very viable pasture because there are a lot of farmers contributing a small amount. In another area because the pasture is not an area where there are a whole lot of farmers, it would be more per capita per farmer, if both proposals were used equally on both pastures. I do not see it that way, I see us looking at each pasture individually because it has its own problems as I said earlier. So it will depend in a large measure in the kinds of proposals that come in again. In

SPENCER BECKFORD: some cases it will be a bit more because the farmers can afford to pay more and in other areas it will be a bit less because there are not that many farmers and there are more problems with the pastures. So we will be very selective and we will not necessarily use the same criteria on one pasture as we use on another because you cannot do that in this Province. In some areas, as I say, there may be thirty or forty farmers using it with a lot of animals and in another area there might be only eight or ten. I know of places where there are only eight or ten farmers who are really involved in the pasture, therefore, it would not be fair to put the same cost on eight or ten as it would on thirty or forty. So we are going to have to be careful and do it on a selective basis given the viability, given the use of the pasture by the various farmers involved.

MR. THOMS: A supplementary, Mr. Speaker.

MR. SPEAKER: (Sirms) A supplementary. The hon. member for Grand Bank.

MR. THOMS: To the Premier, Mr. Speaker. I noticed in the press release, when it came out, that there is going to be a committee set up from the agricultural branch of the Department of Rural Development. I gather from the press release that the members of this committee will only come from the Department of Agriculture.

MR. L. THOMS: Has any consideration been given to broadening this committee so that the farmers, groups of farmers and so on will be represented in this regard?

MR. SPEAKER: (Mr. Sinns) The hon. the Premier.

PREMIER PECKFORD: I am not sure whether consideration has been given but I will take the member's question under advisement because I think it is a very sound one and something that we should look at. Right now, I was not aware of the exact composition of the committee that was going to review these proposals but now, having been made aware of it by the hon. member, I will take it under advisement and speak to the minister about it over the next couple of days and if that is possible, then I think it is a wise and substantial suggestion.

MR. SPEAKER: The hon. member for Fogo.

MR. B. TULK: Mr. Speaker, I had a question for the Minister of Education (Ms. Verge) but in her absence I will direct it to the Premier and it is concerning the construction of new school facilities in Frederickton.

I suppose the Premier, through his minister and through local representation of my own, is aware of the fact that the school in Frederickton has been closed since September by a regulation of the fire commissioner's office. The shift system has also been put in place for Grades III to IV and Grades V and VI are using an abandoned school in a community four to five miles away.

I suppose the Premier is also aware, Mr. Speaker, that because of the terrible rise in interest rates the Denominational Education Committee is in a dire financial state. I ask the Premier, Mr. Speaker, if he can report any progress in this matter? Specifically, I ask if there have been any meetings held between the government and the Denominational Education Committee and, furthermore, will he give the House a specific time frame in which the people and children of Frederickton can expect some decent school facilities?

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

PREMIER PECKFORD: On number one question, Mr. Speaker, there have been meetings between the Department of Education and Treasury Board and Finance with the Denominational Education Committees on the whole question of school financing because of the high interest rates, because of the fact that the Denominational Education Committees have used up the money that has been allotted to them by government between now and 1986, I think it is, the cut off date. The government provides, I forget what it is now, \$15 million, \$16 million, \$17 million a year between now and 1986. The Denominational Education Committees have used up all of that money each year right up to 1986. So they are really at 1986 and we are at 1979 so all the money has been spent. They spend ahead, we try to stay where we are right now and make sure we can cover our losses. In any case, that is where we are and there are still a lot of school facilities around the Province; Frederickton, Gander Bay being one; Little Bay Islands, great historic Green Bay being another and there are others around the Province - in Main Brook, Hare Bay, there is another and so on around the Province. There are a lot of school facilities that need improvement. So we are - the answer to the hon. member's first question is yes, we are and have been for the last three or four weeks into intensive talks with the DECs over this whole question.

The hon. member's second question is one that he will have to direct to other people. I do not know when Frederickton will get a new school or new school facility. Whether, in fact, government provides additional money to the DECs does not necessarily mean that Frederickton will get a new school, that will have to be between the school board in the local area and their Denominational Education Committee to whom government gave that additional financing if in fact we do give them additional financing.

question number one, yes. Question number two will have to be directed to other sources.

MR. B. TULK: A supplementary, Mr. Speaker.

MR. SPEAKER: (Mr. Simms) A supplementary, the hon. member for Fogo.

MR. B. TULK: Mr. Speaker, I am well aware of the fact that it is the IAC or the DEC and school boards which say where funds will go in the Province. But as the Premier well knows, it is the government who provides funds for schools in the Province so I ask him if he would use the power of his position to see that the red tape and bureaucracy and the run-around that the people in Frederickton have been getting is by-passed and that a new school is put in Frederickton so that the kids there can have a decent place in which to go.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, if I was to accede to the request of the hon. member his colleagues would be the first to get up into this House and talk about political interference into the normal educational system in this Province.

SOME HON. MEMBERS: Hear, hear.

PREMIER PECKFORD: I hasten to call the hon. gentleman from Fogo district as an educator, as he is, and as a former education, as I am, that we both know that there is a particular system which is very sacred to this Province, that is the denominational educational system and that the denominational educational system is very much a part of it and it is those people either in the Intergrated, Roman Catholic or Pentecostal DECs

PREMIER PECKFORD: who, in consultation with the school board on the local level decide on the location of school facilities. To interfere with that, I am sure it is not Liberal policy and if it is I am sure that whoever the senior man on the other side of the House is will get up and contradict the member for Fogo (Mr. Tulk) because that would be blatant political interference and would fly in the face of all that we know about the denominational educational system in this Province.

SOME HON. MEMBERS: Hear, hear!

MR. B. TULK: A final supplementary, Mr. Speaker.

MR. SPEAKER: We have time for one quick final supplementary, the hon. member for Fogo.

MR. B. TULK: I did not suggest that the Premier tell the DEC or the board where to build a school, I just suggested to him that he see that the funds are made available so that those people can carry out their priorities and will he see that that is done?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I can assure the hon. member for Fogo that he has re-phrased his question to be somewhat different from what it was previously. And the fact of the matter is as I have indicated to the hon. member in the answer to the first part of his first question, that we are now negotiating with the DEC's and in due course the Minister of Education (Ms. Verge) and responsible ministers on this side will be indicating government's ongoing policy as it relates to school financing, capital-wise, will be. But as I indicated to the hon. member, that does ensure and this is the whole reason for the hon. member's question in the beginning - the hon. member for Fogo is not concerned about school construction in Little Bay Islands, he is not concerned about school construction in Main Brook, he is concerned about school construction in Frederickton and whether that actually comes

PREMIER PECKFORD: about might not necessarily depend upon additional financing to the DEC's by government.

MR. SPEAKER: (SIMMS) Order, please!  
The time for Oral Questions has expired.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The hon. the Minister of Finance.

DR. J. COLLINS: Mr. Speaker, I beg leave that pursuant to Section 28 of the Financial Administration Act, 1973, I table special warrants. There are four special warrants, five copies of each and these involve the Departments of Justice, Mines and Energy and Fisheries.

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MR. E. ROBERTS: Mr. Speaker, before we go to Orders of the Day -

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

MR. E. ROBERTS: - the Government House Leader will call the government's business. I thought the House might be interested to know that the fifty-first member of the House, the member for St. Mary's - The Capes (Mr. Hancock) will be sworn in, I believe, by His Honour, the Lieutenant-Governor in the morning and accordingly, subject to Your Honour's approbation, will be taking his seat in the Chamber tomorrow afternoon.

MR. SPEAKER: I thank the hon. member for that information. I believe, it was passed on to members of the House a few days ago when the hon. member for the Strait of Belle Isle was not here.

MR. E. ROBERTS: It was only set today, Your Honour.

MR. SPEAKER: - a few days ago.

PREMIER PECKFORD: We cut some red tape.

SOME HON. MEMBER: Oh, oh;

ORDERS OF THE DAY

MR. W. MARSHALL: Order 32. Bill No. 58.

MR. SPEAKER: (Simms) Order 32, Bill No. 58, Continuing debate on second reading of 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)

The hon. member for Carbonear.

SOME HON. MEMBERS: Hear, hear!

MR. R. MOORES: Mr. Speaker, I would like to take up where I left off on Friday, I think I have about ten minutes remaining, and to recapitulate, the essential point of my argument on Friday was that I personally and I would think that at some time in the future, perhaps, my colleagues on this side of the House are not particularly supportive of this Bill for two reasons, two very important reasons; firstly, that the government through camouflage, through means other than straightforward means, are trying to negotiate the forced imposition of property tax on all municipalities within this Province that have a water and sewerage system more than 50 per cent complete. I might ask the minister, when he gets up to reply to these statements that are being made in the House, if this property tax applies to municipalities where a water and sewerage line is not the conventional type, that is to say, water and sewerage supplied by artesian well and by septic tanks. There are a number of communities in my district where that would apply. And the second reason, Mr. Speaker, is because this is a deliberate bushwhacking of the regional government concept in this Province, the minister and the government are trying to do under the table what last year, at least, the previous minister of Municipal Affairs had

MR. R. MOORES: the forthrightness to do directly in this House, and that is to introduce regional government in this Province.

Now there are a variety of reasons why we are opposed to regional government or, at least the type of regional government proposed and to be submitted by this government. One of the very clear reasons why we are opposed to it is that it places far, far too much power in the hands of one person or the Cabinet. The Cabinet virtually has complete control over who will sit on that council, the disposition of its assets and those of the communities involved in it and a host of other technical matters which could very well lead to the imposition of regional government that would not be to the benefit of the people that it is intended to serve.

For that reason, Mr. Speaker, and I could rail on here for quite some time about the minister's claim that this is the most important modification of municipal government and its regulations in this Province's history, I could say that that is a pile of nonsense and trash and rubbish. This bill is doing nothing other than consolidating regulations which have been, either in practice or in theory, recognized and utilized by municipal governments in this Province for the last twenty years.

I would like to see him, when he gets up to close the debate, give me one modification in the municipal regulations. I will settle for one, only, new regulation, new modification different than the regulations either in theory or in practice, that have been used for the last twenty years.

This is not, as the minister claims it is, merely an effort. A good Western movie word is to 'dry-gulch'; that is to say, to go behind and hit from the rear a friend or an associate who has been supportive of the principle, the essential principle of this bill. And that is exactly what he is doing. The municipalities involved and those that will be affected immediately, do not know that this Bill contains the

MR. R. MOORES: regional government concept.

They are led to believe that it is the great step forward in municipal regulations that the minister has been promulgating in the press and in this House for the last week. It is not that, Mr. Speaker, it is nothing even near that, except camouflage and deceit and cowardice on the part of this government to bring into this House confronting us and the people of this Province forthrightly, head on with the issues as they are and as they should be and as some ministers, I am sure, on that side of the House at least tried to do last year.

Mr. Speaker, I am not in support of this bill because of its deviousness, because of its surreptition and I do not believe that my colleagues on this side of the House will support it in its present form nor will we even contemplate supporting it in its present form. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER(Simms): The hon. the member for Trinity-Bay de Verde.

MR. F.B. ROWE: Mr. Speaker, I am absolutely astounded and amazed over the fact that a minister on one day can get up in this House of Assembly and talk about this great reform bill that we are debating now only to find that it is quite obvious the members opposite have been silenced in this debate.

Mr. F. Rowe: This is the second time, Sir, that the government has presented a bill before this House during this part of the session, when they talked about the greatness of the legislation they were bringing forward. And this bill, Sir, is the biggest bill physically, and the biggest bill, probably, as far as the effects that it will have on the people of this Province, that will ever be brought before this House. Yet, we have the situation, Sir, where hon. members opposite are obviously not going to debate the bill back and forth, such an important bill. They have obviously been silenced. They tried it there and Friday, the minister got up to speak, Sir, after one of our speakers had spoken, and the same thing happened again today. So it is obvious, Sir, that the government is just going to let this bill run itself out with respect to debate. And I think there are many important things that have to be debated in this particular bill.

Sir, to start off I might commend my colleagues on this side for pointing out the weaknesses of this particular bill, "To Revise And Consolidate The Law Relating To The Establishment And Administration Of Municipal Government In The Province". That might sound good on the surface, Sir, but as my colleagues have pointed out this bill is a camouflaged method, a devious method, of sneaking in the property tax and regional government. And hon. members opposite do not have the ability nor the heart to get up and debate it and defend their own piece of legislation.

Now, Sir, I have looked at this property tax business. No tax, Sir, is desirable, no tax is desirable so it is the duty of hon. members in this House to try to find out the best kind of tax that you can implement to derive the greatest benefit for the municipalities throughout this Province. That is the job of the members of this House.

Now, Sir, if you look at the property tax - one thing disturbs me about a property tax, aside from the almost universal hatred of the imposition of a property tax, and that is the actual cost of assessing property throughout this Province. Here we have in the city

Mr. F. Rowe: of St. John's, the largest community in this Province a method of taxation based on rental value which admittedly, and it has been admitted by everybody in this House who has spoken, is a poor method of taxation. Probably property tax is an even better method than the rental value of property. But, Sir, one thing that I have to ask the minister, and I hope he refers to it when he speaks to the bill in concluding the debate, if he can give the House, Sir, some reasonable idea of exactly how much it is going to cost to assess the real property value in this Province? It is going to be a monumental task, Mr. Speaker, I would suggest that it is going to be a very expensive situation or method or function, trying to assess the real value of property, whether it is private property, business property, agricultural property, or what have you, throughout this Province. It is going to be a very expensive proposition to sit down and have a field of workers assess the real property value in this Province.

Then again, Sir, one can ask, what is the criteria that is going to be used for the assessment of real property values in this Province? And will it be, in fact, fair, a fair method of assessing?

Sir, the other thing that I find distasteful about the property tax is the fact that it is not necessarily based on a person's ability to pay.

MR. F. ROWE: I suppose in most instances, the real value of property is related in some way to a person's ability to pay, but not necessarily. I would suggest, Sir, that if a son or a daughter or a family situation were fortunate enough to inherit a good old home and a piece of property, that does not necessarily mean, Sir, that the person, the individual, is in a position to pay a property tax. He might not have purchased it, it might have come just as a gift, handed down through the family, and that person may, in fact, be unemployed or a very low wage earner.

The point that I am making, Mr. Speaker, is simply this, that even if a property tax method is used which may, in fact, be much better than the system that is used in St. John's, is it, in fact, fair in terms of, is it related to a person's ability to pay? And I just pointed out one example of where it could be totally unrelated to a person's ability to pay.

We could have the exact opposite situation, Sir, of people worth a fair amount as far as net or gross income is concerned, owning modest property or having property in other names, company names or other persons' names, where the person has the ability to pay but is really paying a reasonably low municipal tax through the property tax because the property that he claims to own or possess is reasonably modest.

Now, I have not seen anything in the act to cover these two extreme examples. Obviously, in the majority of cases - I would hope in the majority of cases - the ability to pay and the real property value of an individual would be compatible, but not necessarily so.

There is another weakness, Sir. We have heard recently - my friend from Baie Verte - White Bay (Mr. Rideout), if he does not mind my using a community in his particular district as an example -

MR. RIDEOUT: Be careful which one.

MR. F. ROWE: - Roddickton, where the unemployment rate

MR. F. ROWE: is -

AN HON. MEMBER: It depends on which side you believe, but it is 75 per cent or 80 per cent.

MR. F. ROWE: Sir, 75 per cent or 80 per cent of that community is unemployed. Now, nobody, Sir, can convince me that the people in that community, if they are assessed a municipal tax - the mode of tax being the property tax, nobody can convince me that these people will be in a position to pay. And everybody knows, Sir, that there are regions of this Province - not just communities, but regions of this Province, almost complete electoral districts, some regions and electoral districts or combinations of electoral districts, where there is massive unemployment.

MR. RIDEOUT: Port au Port.

MR. F. ROWE: The Port au Port Peninsula situation -

MR. RIDEOUT: Bay d'Espoir.

MR. F. ROWE: - and the Bay d'Espoir situation, where, Sir, the tax base is just not there, and therefore, these people are at a disadvantage because of the fact that they happen to be born in or live in or sought employment in - and then the bottom fell out and they will never be in a position to get the badly needed municipal services that are required and they rightfully deserve. I guess I am going back, Sir, to the old cliché, there must be some method of getting rid of regional disparity as it exists within our Province of Newfoundland and Labrador. And I am saying that if the property tax is sneaked in, put in through this huge bill, that there will be areas of this Province that will suffer adversely and, indeed, there will be areas of this Province which will benefit greatly. Because they have an excellent tax base, the rate of employment could be high, the earnings could be very high, the property values could be very high, and obviously, it is like the snowball effect, the rich communities have a stronger tax base and therefore, they are able to pump more money

MR. F. ROWE: into the municipality or the regional government, whatever, and therefore they could get the services that some other community across the tracks or across the road or up the Coast or down the Coast cannot get.

So, therefore, Sir, I am strongly against the imposition of the property tax for these particular reasons. Now, Sir, it is no good to be against something unless you can recommend something as an alternative or ask the minister or the administration whether, in fact, they have considered alternate methods of taxation in order to provide all the municipalities of this Province, and all the regional governments of this Province with the services that they deserve, equally, straight across the Board. And I would like to ask the minister, Sir, I realize it was rejected, I believe in the Whelan Commission Report, but I would like to ask the minister what discussion and how serious was the business or the suggestion of a municipal income tax taken into consideration? Now, again, I am recommending another tax, or asking the degree to which the government considered another mode of taxation. But, Sir, I ask it in all seriousness and sincerity because I believe very strongly that - well, let us retrace history for one moment. First we had the federal income tax, and then we had a great reform throughout the nation whereby we had provincial income tax. Now, if this government is the reform government that it claims to be, Sir, I would suggest that they should have given very, very serious consideration to the possibility of the implementation of a municipal income tax, in other words, a third level of income tax.

Now, nobody likes at the end of the year, when they are filling out their forms, those of us who do fill our our forms -

AN HON. MEMBER: Speaking for yourself.

MR. F. ROWE: Speaking for myself. Right. Nobody likes the possibility, or the prospect of having a third level of income tax deductions but, Sir, I submit that an income tax is the most fair tax, is

MR. F. ROWE: the fairest tax that was ever devised.

Why? Because it is simply based on a person's ability or a corporation's ability or a business' ability to pay. And besides that, Sir, there would be a reduction in terms of implementation. If we implement the property tax, what we are saying is we have to have assessments of real properties throughout this Province where the property tax is going to be implemented.

I am suggesting that the mechanism already is there, really, for the implementation of a municipal income tax. Now there could be a number of methods. It could be done through a municipality, or it could be done through the provincial government for purposes of disbursement to the municipalities. But I would recommend, I hope the minister is listening there, because I am not speaking in any partisan fashion whatsoever, I am raising the question and asking the question, what consideration was given to some mode of municipal income tax instead of this property tax?

Number one, because it is a fairer tax, because it is based on individual's and corporation's ability to pay. Secondly, it would be less costly to implement because you will not need the assessments required under the property tax, and it would be less expensive because the mechanism already exists for income tax deductions at the third level of local or regional government. More importantly, Sir, it would give the government, and this is where we have to have it done in the Legislature, and voted upon in the Legislature and not decided upon in Cabinet or by a minister, this would enable this government or any other government to collect a local government tax or municipal tax through a municipal income tax that they could set up the mechanism for themselves and then they could bring it before the Legislature at budget time for debate as far as the disbursement of these funds is concerned.

In other words, hon. members here would know that a booming place like Labrador City, and Wabush and Corner Brook and the growth area like St. John's and many others - and Gander and Grand Falls,

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MR. F. ROWE:

I just point out those as a few of the towns and communities in this Province that have a good healthy tax base- we would know that in some small way these towns and the citizens of these communities were, in fact, helping out the

MR. F.B. ROWE: less fortunate communities throughout the Province and, therefore, we do not have our Roddicktons, and we do not have our Port au Port Peninsulas, and we do not have our Bay d'Espoir situations where the people will never receive reasonable and adequate municipal services because they will never get a start, because they have no tax base.

Now, some people can argue let the poor people suffer, let the poor communities suffer and let the rich people and let the rich communities go full steam ahead. Sir, that is not what governments are all about. We have a federal government to keep the nation together and to disperse wealth in a rational and equitable fashion, we have provincial governments, presumably to do the same thing at the provincial level, so, Sir, I would submit that strong consideration should have been given to the possibility of an alternative method of taxation other than the property tax and that would be, of course, the municipal tax.

You would have a centralized system and you could have more equitable distribution of the revenue that is collected by the government to the various areas of the Province because, Sir, I have served only two districts in my political lifetime, but I have travelled virtually every single district in this Province and I can see areas where communities will leap ahead with the implementation of the property tax and I can see other communities that will be just buried and left stagnant, inactive and will never get a start with respect to the provision of the municipal services, to infinity. I think it is incumbent upon the government, I think the government, Sir, are, in fact, abdicating their provincial responsibility just as the federal government, in many instances, is abdicating its federal responsibility by handing over a lot of the decision making and responsibilities to the provinces. I think this is an analogous situation where we have the provincial government handing over the responsibility and the decision making to the local level. Unfortunately, Sir, it is not so much decision making as it is responsibility, particularly in terms

MR. F.B. ROWE: of the collection of revenue to keep these municipalities going.

Now I hope the minister is taking this in the sense that I have tried to express it, and that is what I consider to be a basic flaw in this bill, an unfair mode of taxation.

The minister may well have the answers, I do not know, but I hope he does do the House the courtesy of answering why the municipal mode of taxation, or income mode of taxation, based on income, was not implemented; if he would do the House the courtesy of answering that basic and fundamental question which I would have considered to be a great reform on the part of this administration.

Now, Sir, during the course of the debate I believe the member for Bonavista North (Mr. Stirling) challenged the minister with respect to the degree of consultation he had had with the Newfoundland and Labrador Federation of Municipalities prior to bringing this bill before the House. and I was led to believe that the minister was up to his ears in consultation with the Newfoundland and Labrador Federation of Municipalities before this bill was presented to the House of Assembly. Indeed, I believe the minister said that there was a great deal of consultation with the Federation. However, Sir, the president of the Board of Directors of the Federation met, I believe, with the minister on Friday afternoon past and today issued a press release dated November 19, 1979.

The second paragraph, Sir, of that particular press release which I am willing to table if required, quote, "At the outset the president -

MR. F. ROWE:

that is of the board of directors  
of the Federation of Municipalities for Newfoundland and Labrador.

"At the outset, the president voiced the board's displeasure on having been earlier assured of the opportunity to discuss the content of the bill with the minister in time for possible alterations before it was committed for discussion in the House of Assembly - and now to find that the bill was already subject to the House debate before meeting with him. The Federation's board of directors had honoured the confidence requested in this instance and will continue to do so in future instances, but did expect reciprocal treatment."

So, Sir, the president of the board of directors of the Newfoundland and Labrador Federation of Municipalities has come out and rejected, categorically, statements made by the minister in this House of Assembly, when under questioning by my colleagues on this side he gave this House the full assurance that there were considerable consultations going on between the Federation and the government prior to the bringing in of this bill for debate. So, Sir, I think not only does the minister owe the Federation of Municipalities an apology, but indeed, he owes this hon. House and every member representing the people of this Province an apology for having - I cannot use the word 'misled', Mr. Speaker - but having given us information which was contrary to what the facts were during his comments on the particular bill.

Mr. Speaker, there were six items listed off by the president of the board of directors of the Federation, that they considered to be of major contention. I hope that the minister, in closing debate on this bill, will address himself to these six items of major contention documented by the Federation of Municipalities for this Province.

Sir, the first one was with regard to Section 129 of the bill and it states that the Federation feels that a municipality which applies the property tax should not be bound to levy the water and sewer tax as a rate on property assessment, but should have the option of applying this tax as a fixed rate, and that the revenue from such a fixed rate tax be included as revenue for purposes of the

MR. F. ROWE: revenue grant when affected by the  
Municipal Grants Act.

I hope, Sir, that the minister will address himself to that particular bone of contention with respect to the Federation of Municipalities.

Sir - and I think this is an important one - the second item of contention was this: The Federation stated that it should be made clear to the public that a petition is still a recourse available to the public as a means of initiating ministerial action in respect of municipal establishment, amalgamation, annexation, disestablishment, as set forth in Sections 3 and 297 of the bill, even though this recourse is not now specifically stated. Sir, in other words, the suggestion here is obviously that the public may not be aware of the fact - particularly in the more remote areas of our Province - that a petition is still a recourse available to them and that it is not just the Cabinet or the Lieutenant-Governor in Council who can establish, amalgamate, annex or disestablish municipalities or regional governments.

Thirdly, Sir, the Federation agrees that exemption from the poll tax should be based on the basic personal exemption provided under the Income Tax Act as set forth in Section 126 (3) of the bill, but it is

Mr. F. Rowe: concerned as to the financial impact this may have on the local generating ability of those municipalities in which there is a high incident of low income earners. Now, I need not get into that too much because, in fact, a way of getting over that particular item of contention would, in fact, be the imposition of a municipal income tax that I suggested earlier.

Fourthly, the federation believes that the unanimous vote required by Section 413 of remuneration of councillors is neither a practical nor a fair requirement. This should be changed to a two-thirds majority in keeping with majorative requirements for other similar voting instances set forth elsewhere in the bill. In other words, Sir, to wrap that one up, they do not want one nut in any body vetoing everything that the majority wants to go ahead, in this particular case with respect to remuneration.

Fifth - Sir, if I go over a couple of minutes and I promise not to go over that much longer, but I would like to get all six of these items of contention read into the record with leave of the House, and then I have two more to go with very little elaboration.

MR. MARSHALL: Some of the items are in the press release.

MR. F. ROWE: That is right, it is in the press release there, but I would like to enter them into the record of the House in the hope that the minister will, in fact, address himself to them when he closes the debate on this particular bill.

Sir, the fifth item of contention, the Federation is strongly opposed to the references in Sections 266, 308, and 319 to the continuation of the minister's authority to dismiss councils and individual councillors without their recourse to appeal either to their local electorate or any other authority within a reasonable time.

MR. J. CARTER: Table it.

MR. F. ROWE: I wish, Mr. Speaker, they would table or the hon. Undertaker for Harbour Grace (Mr. Young) would table on the right table the hon. member for St. John's North (Mr. J. Carter).

MR. J. CARTER: (Inaudible)

MR. F. ROWE: Now, Sir, he has me completely confused, off-track, befuddled. I will start again, Mr. Speaker, The Federation is strongly opposed to the references in Sections 266, 508, 519, to the continuation of the minister's authority to dismiss councils, and individual councillors without their recourse to appeal either to their local electorate or any other authority within a reasonable time. It believes that ample provision is provided in other sections of the bill, particularly Sections 475 to 489, providing for the appointment of an administrator to replace a council, whereby this is neither necessary or desirable. Then they go on further to say that the Federation would therefore like to see The Department of Municipal Affairs and Housing Act amended during this session of the House of Assembly to delete this kind of authority for dismissal of councils and councillors and that their references in Sections 508, 519, of Bill 58 also be deleted.

So, Sir, I hope during Committee stage or even before that, the minister would indicate that he is willing to delete these unless he can provide, obviously, adequate reasons for not deleting them and at the Committee stage we will probably be moving the appropriate motions.

And lastly, Sir, the Federation's concern as to the ability, particularly of smaller municipalities without recourse to expert staff in complying with the requirement for five year forecast of capital expenditures as required by Section 91 of the bill. Now, Sir, everybody knows that most of the people serving on councils throughout our Province are people who are holding down other jobs and are providing excellent voluntary services to the communities in which they live, and the municipal councils are one of them. And, Sir, even if they have the brain power and the expertise, which they do not, I will rephrase that, even if they have the brain power and even if they have the expertise which quite often they do not, the fact of the matter is, Sir, they just do not have the time to sit down there and make a five year plan. It is only

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Mr. F. Rowe:                   the Administration opposite, Sir, that has a  
five year plan every time they are asked an embarrassing question.

MR. F. ROWE: Everything is a five year plan. The federation feels that there are many municipalities within this Province that just do not have the capability for doing this and they would like to see that rectified as per the recommendation in their press release.

Now, Sir, there are three or four other bones of contention but, Sir, as my colleagues have indicated, we are basically against this bill because, number one, it is entitled something quite different from what it is, in fact, imposing regional government and the property taxes. And I have talked about the pros and cons of property taxes and asked the minister to address himself to why municipal income tax was not taken into consideration, and my colleagues have spoken adequately and eloquently on the way that the regional government is being slipped in there. There are many other things, Sir, I could talk about— the old Reid railroad property which was supposed to have been passed over to CN, which CN will not relinquish to the Crown of this Province. They have been after them for the last eight years to do it. It is a Justice Department problem, I understand. There is this whole problem of double taxation where you have a person working in Whitbourne paying tax in Whitbourne and then having to pay another kind of a tax for garbage disposal, what have you up in New Harbour, in that area. In the existing regulations that is something that does occur. I hope that it is taken care of in the new act. And there are a number of things, Sir, but my time has run out. I would just like to say that I hope the minister does, in fact, address himself to the major point that I made there, and that was the property tax versus the municipal income tax concept.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): The hon. Minister of Health.

MR. HOUSE: Mr. Speaker, I only want to spend a few moments on this bill because the minister, of course in the introduction

MR. HOUSE: of it has brought out our point of view, the point of view of government, as have the previous minister and the President of the council. All of these have given the government point of view but I just want to reiterate some of the things that they have said and to add a little of my own point of view. I was, for a little while, involved in municipal politics, six years as mayor of a small community, so what the bill is actually doing, of course, it is in itself a manifestation of responsibility by a government that see the issues squarely and faces up to them. That is exactly what this bill is doing.

Now, Mr. Speaker, everything we do in this particular bill may not be popular. It just may not be. But there are two ways to govern and one way, of course, to govern is to say, "There go my people, I must go out and see where they are going so I can lead them," which is a highly raw political, highly irresponsible route. And the other, of course, is to look at the studies that have been done, to look at the issues and the benefits in the long term and to, after consultation, after a lot of consultation, to say that we have to take this approach and direct our attention with the public for the common good towards reaching these objectives. That is what I call a responsible approach, and a statesmanship approach which, of course, this government favours.

Mr. Speaker, I sometimes sit down and I listen to people raving on about what we should be doing, and what we should be doing for the public, but I find in a lot of cases we say one thing in private and then we say what is politically opportune at another time. And I believe that has caused a lot of problems. So first of all, I want to say that we are in favour of looking at things realistically and this piece of legislation is a realistic approach.

Now, the member for Trinity - Bay de Verde (Mr. F. Rowe) was talking about, of course no input by the federation.

MR. W. HOUSE:

We say the other day yet another piece of legislation that we were trying to put through and did put through in second reading, where the Law Society came back and wanted further consultation. After a paper going out to the public, and they had as much chance as anybody else to get input into it, they wanted a longer period of time.

Now, Mr. Speaker, we can not, there is no way that we can be able to consult like that when everybody is going to be satisfied that there has been enough time spent on it. Basically speaking, when the member says that the minister was not levelling because the Federation did not have an input I know that is not true, the Federation had an input. And I have been, as I said, even before I came into provincial politics when I was involved at the Federation level there was constant liaison and it was liaison going on regarding the input into the Whelan Commission and, of course, the putting of some of it into effect after. And one of the members of the Federation of Municipalities was a member of the committee that drafted the legislation for the minister. Now you see if that is the case, that person had the responsibility, that is what he was there for, he had the responsibility of going in and consulting with the Federation day after day week after week when they were writing this particular draft for the minister and it is not that it has been drastically changed since the draft was put forward. So really and truly the Federation did have an input into the drafting of the legislation.

Now perhaps when the bill was in its final draft it did not go back to the Federation for ratification but that is quite normal. Mr. Speaker, I just want to mention what the bill is doing. It is basically a consolidation of a number of acts and, as I said, a response to a highly political route. If anybody knows anything about the municipal government of the past back since 1941, it has been a highly political route. Well, I can recall the squeaky wheel route and that has governed us over the last number of years, as I said, since back in 1949.

MR. W. HOUSE: It was largely government by headocracy and the large number of delegations with which a minister and a department had to contend, and I am sure that both the present minister and the current two or three ministers can talk about that ad infinitum that it was a manifestation of the inadequacy of the present or past legislation, and, of course, it is a manifestation too of the political temperament of today. So, we did have a bevy of work, we had a lot of work from the Kenley Commission right on up through, and the Whelan Royal Commission which had the input and the imprint from every community on it. And I was one of the persons who actually presented a brief to that commission and was one of the persons, also, who had some input from the Federation of Municipalities. And what we are seeing here now in this legislation is the basic nuts and bolts of that going into effect.

Now, the member for Trinity - Bay de Verde (Mr. P. Rowe) mentioned about the income tax. He is saying, "Perhaps we should have gone that particular route". Well, there are a lot of problems with that particular route. And do not think that we have not been looking at the Canadian scene, looking at every other province, The Federation looked at every other province and everybody says, "Well, you know, what is the best source of taxation? Everything was explored and basically, when you come right down to it, you come up with the decision that the best tax that you can apply municipally is the property tax. It does not sound right and everybody on a cursory glance might say, "well, the income tax route may be better". Mr. Speaker, there are number of reasons for not going that route, I am sure the minister will mention some. I will just mention one of them and the same thing I have mentioned, also when we have been dealing with school taxes, that because property tax is the vogue across Canada and the federal government pays grants in lieu of taxes, they are essentially paying a property tax, and if we had the route of municipal taxation that would be dollars that we would not get in the Province. So that is just one example

MR. W. HOUSE:

and I am sure people can give others.

So this, as I said, has been the result of a study that had a lot of input by the Federation of Municipalities, by the Whelan Royal Commission which was

MR. HOUSE: widely acclaimed and, of course, now we are saying that we have got to put it into effect. Now, basically what does it do? It does, simply, a lot of the things that we have been doing heretofore. It provides for elected councils and it eliminates these local improvement districts. But it does set up a mechanism to logically deal with areas that do not want total incorporation. We had the water committees and the waste disposal committees. Well, there is another mechanism set up here now which will deal a little more comprehensively with the problems and still not have to go into a full-fledged municipal government. It also sets up a mechanism for regional government, or regional interest. And I do not care what people say, it just does give enabling legislation and, again, as we travelled around the Province, or as I travelled around the Province, and as I saw in various committee meetings in the Federation a lot of the municipalities said that there must be some level of regional co-operation and they did it on their own. It was not in legislation, they just did it on their own. Of course, you can look at the Burin Peninsula situation where there was a lot of good but there was no teeth in that, it was just a common agreement because there was no mechanism whereby they could set up. As a matter of fact, we used to have to let them into Federation meetings by leave because they did not have any legality, as it were, because there was nothing to govern them.

The other place that I can mention was Humber Valley where all the communities that live on the watershed of the Humber Valley bound together in a common stance to try and do things that neither one community could do. Now again that has no teeth but the point about it is we believe that putting some legislation to allow that to come about is going to have a positive effect. The other thing, of course, we are talking about here, and I am not going to be afraid to mention it, is rationalizing the financial responsibility and I think that should be elaborated on. Financial responsibility is simply stating that when the full gamut of services is being offered

MR. HOUSE: and where the government or the department is financially involved, the financial responsibility should not be necessarily by virtue of a community but based on the individual's ability to pay. I am not saying that you should pick it out, you do this and you do that, but we will say, well, we should not have property tax in this community because the people are not well off enough to sustain it. I do not think you can go in any community in this Province and make that as a blanket statement. There are people in these communities who have good property and who are making good money and there are poor people in the large communities. So I think the fairest way is the way that we are talking about and say if fifty percent of you have these services you should be able to come up with some financial responsibility. Now, it may not be politically good but it certainly is financially sound. Let me give you an example, Mr. Speaker, and the President of the Council alluded to it the other day, I will use my own town on the West Coast in my constituency, the town of Deer Lake, where we have a property tax and my taxes there is maybe, I do not know, I am only using a figure, \$500 a year which is maybe less than Corner Brook and perhaps less than St. John's but, nevertheless, I am getting a level of service. There are other communities in the Province where they are getting the same level of service and they may be paying \$50 a year even though that particular person may be making as much money as I am or more. Now, Mr. Speaker, what I have to do is pay my taxes and I have got to subsidize that person who, as I said, is making as much or more. So I think this is a fair way to do it.

MR. HOUSE: One other thing we have to bear in mind - and this has been something that this particular government has done, and you can go back to 1970 or 1972 and see it put into practice, that we have provided good exemptions. For instance, the school tax, people over sixty-five do not have to pay school taxes.

Now, in municipalities, the municipalities are given a mechanism whereby on demand or when they look at a person's wherewithal, they may exempt any citizen who does not reach a certain level, and that has been done just recently. This new legislation is providing a lever there for people on fixed incomes, particularly people whose only source of income is the old age pension.

So, Mr. Speaker, I do not see property tax as being detrimental, I see it as a fair way - if it is fair for one community it is fair for another.

Now, the second thing I want to address is something that is, obviously, you know, the responsibility of the government. We talk about somebody not being able to run if he has been dismissed or the council has been dismissed for a period of two years. Now, I think it is only fair for the department through legislation to insist on that. After all, we, the government of this Province, the provincial government, and the municipal government jointly operate towns. We have a financial input and the municipalities have a financial input - we both operate them. And I do not see anything wrong with requiring a two year period out of municipal politics if the person has, of course, been dismissed. Obviously, they would not be dismissed without good reason. And this logic of two years for a cooling off period and for the community to reassess, I do not think there is anything wrong with it, Mr. Speaker.

MR. STIRLING: People cannot be trusted to make up their own minds.

MR. HOUSE: Mr. Speaker, as the hon. member says, people cannot be trusted to make up their own minds. There is only one way that the government has any input at all. We have half the cost, pretty well, of running these communities at the provincial level and the other half,

MR. HOUSE: or thereabout, at the municipal level.

So they certainly can do the electing, but I think we should have some strings attached. I do not see anything wrong with it.

MR. STIRLING: Do you agree with the federal people having the same kind of restriction on us?

MR. HOUSE: I think perhaps they may have it but they do not have that specific one. Certainly, they have a lot of strings attached to how we spend the money that is given us.

Mr. Speaker, I want to just dwell a little bit on the ever popular theory that the hon. the member for LaPoile (Mr. Neary) mentioned the other day. I read a little of what he was talking about - and his particular one is 'ramming things down people's throats.' He is always saying we are ramming things down people's throats and I call it the Neary Theory. It is the use of language to hide the issues. The whole issue is that we are being responsible. We are supposed to be here to legislate, and I do not think we can go out to the public with every little thing that comes up for a referendum. We are here to legislate, and I want to point out to all members, of course, that we were given the mandate. We were told, 'You are the fellows who we think can bring in legislation - you go ahead and do it.' And, of course, that is what we are doing and we are acting very responsibly. Mr. Speaker, I think you can go back and look at the legislation that we have had in the past and, of course, it has all been good.

I am not going to dwell on this any longer, I am just standing here today to say that I support the bill. The main contention, of course, is the taxation system. It is the one that has proven most successful across Canada; it is the one that this government has looked at, that the Federation has looked at and, of course, it is the one that we can see at this present point in time where we can get federal input, because the federal government will pay taxes in lieu of property and they would not do that if,

MR. HOUSE: as the member for Trinity -  
Bay de Verde (Mr. F. Rowe) was suggesting, if it were income tax.  
So this is good legislation.

It is a little late.

SOME HON. MEMBERS: Oh, oh!

MR. HOUSE: I was going to close, Mr.  
Speaker. I said I did want to spend the full twenty minutes. I  
think it is good legislation, it is statesmanship legislation, it  
is legislation that does not fear any political repercussions.  
We think when we do the right thing that it is going to be  
acceptable. The people stated in the last election that we are  
the ones who can do the right things.

SOME HON. MEMBERS: Hear, hear!

MR. HOUSE: I thank you for listening,  
Mr. Speaker, and I commend this legislation to everyone. Thank you  
very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER(Baird) The hon. the member for Baie  
Verte - White Bay.

MR. RIDEOUT: Mr. Speaker, I was rather  
worried a little earlier this afternoon when I thought I saw  
developing a trend in the House that not a lot of people were  
intended to speak on this particular piece of legislation. I happen  
to agree with the Minister of Municipal Affairs and Housing in one  
respect, in one regard and that is that this is a very major piece  
of legislation. I believe it is incumbent on all members of this  
House, no matter what side they sit on or what party they represent,  
to express their views on a piece of legislation so all-encompassing  
and so all-important as this particular bill is. I think it would  
be a crime, Mr. Speaker, if this bill were to pass second reading,  
which is approval in principle, without every last soul, every last  
member in this House at least expressing their views on this piece  
of legislation.

It is a major piece of  
legislation in principle in that it will incorporate into law a number

MR. RIDEOUT: of principles that we have not had incorporated into law in municipal government in this Province ever before in our history, and I think for that reason alone it is incumbent on every member here to try to assess, to the best of their ability, how their constituents feel about this piece of legislation and to let it be known in the House.

I do not think it is important whether a lot of us agree with everything that is in the bill, I do not think it is important that we just get up and mouth off, for the thirty minutes that we are allowed, on the areas with which we agree and on the areas with which we disagree, that is not the point; the point is, Mr. Speaker, that this piece of legislation will affect every single individual living in this Province today who is under municipal government, and it will affect all those who will come under municipal government at any time in the future if it is to pass as it is here before us now. So for that reason alone I think it is a duty, it is a sacred responsibility for every member in this House, no matter what area they represent, to let the House and let the minister have the benefit of their views and the benefit of the views of their constituents. I say that, Mr. Speaker, in all honesty and I think it would be a crime if this bill is to pass without every single person, without exception, expressing their views on it.

Mr. Speaker, having said that let me say that I have no intention of condemning this bill outright. I think that the bill in principle is certainly long overdue. I think it is long overdue. It is absolutely necessary that the various Municipal Acts that govern municipal politics in this Province be consolidated into the type of document that we have here. I think the minister is to be complimented for doing that. Him and his officials, whom I know must have spent

MR. T. RIDEOUT: so much time putting together this piece of legislation, are to be complimented for making an effort to do that. Certainly, Mr. Speaker, there are many areas, many proposals, many clauses in the Bill that I have to disagree with. I have to disagree, for example, with the philosophy of representation that was espoused by the hon. Minister of Health, the member for Humber Valley (Mr. House). Nowhere during the election campaign of four or four and-a-half months ago do I recall, in my riding certainly among any of the candidates who were seeking election, and I think I would be on safe ground to say that nowhere in the Province was property tax in itself, an issue in the election that we just came through.

SOME HON. MEMBERS: Hear, hear!

MR. T. RIDEOUT: None of us, Mr. Speaker, were elected, or none of the candidates were defeated on any particular stand that they took on property tax. And I think that it is grossly unfair and grossly simplistic for the member for Humber Valley to say, on such issues of principal importance, to every man, woman and child in this Province that we have the God-given right to say that that is going to become the law no matter how you feel about it. That is not my concept of representation, Mr. Speaker, and I do not think it is the concept of representation of many members sitting in this House today.

SOME HON. MEMBERS: Hear, hear!

MR. T. RIDEOUT: Nobody asked me what my views were on property tax when I was seeking re-election in June because property tax was not an issue. The government party did not make property tax an issue, we did not make property tax an issue, I do not believe the other party, the NDP made property tax an issue.

MR. T. RIDEOUT:

So the real essence of what I am saying, Mr. Speaker, is that the people living in areas of this Province that are not today under the property tax system have not had an opportunity to speak, they did not speak on property tax in the last election and they will not be speaking on property tax again until after the fact. I cannot give my approval to legislation that is going to do that kind of thing to the people I represent.

And, Mr. Speaker, I am not personally against property tax in principle. If a community, by majority vote of its taxpayers wishes to come under the property tax system, then that is democracy, more power to them if they wish to do that. But what we have here, Sir, what we have in this particular Bill is an attempt by the government to say that if you want the services then this is what you must do. 'You must institute a property tax system before we will even begin to talk to you.' That is what the government is seeking permission, seeking the authority of the House to do in this piece of legislation. Now, I cannot accept that kind of approach because the people that I represent have not had an opportunity, they have not had an opportunity to have the question posed to them whether or not they favour property tax as a means of taxation, whether or not they would be for it under certain circumstances or whether they would be totally against it. I have had no opportunity, other than those who have heard of this Bill in the news, to seek out the concensus of opinion of the people that I represent and therefore, Mr. Speaker, I have to disagree very strongly with the philisophy of representation that was proposed by my friend from Humber Valley (Mr. House).

Property tax, Mr. Speaker, as I said, I am not against but a community ought to have the right without the blackmail approach - I cannot find any other way to describe it - to be able to speak on whether they want property tax to be imposed in that town or in that community

MR. T. RIDEOUT: and under this particular legislation they do not have that right. They did not speak on it in the last election, they have never spoken on it as a people in any election that I know of in this Province, and they will not have the opportunity to speak on it if this particular Bill becomes law, and I think they ought to have the right to do that. In fact, Mr. Speaker, I would very seriously recommend to the minister that there be some recommended mechanism written into this piece of legislation so that the people in the areas affected would have an opportunity to speak. And I say that because this Bill not only affects communities who may go after water and sewer systems this year or next year or ten years down the road, it affects communities who now have water systems and/or water and sewer systems in place. Communities in my district and in every district represented in this House who have had water and sewer systems put in in the last five or ten years will now be forced, without any choice, to impose

Mr. Rideout: a property tax system of taxation in their community. That was not the condition, Mr. Speaker, that they were given the funds on last year or the year before or five years previous to that or twenty-five years previous to that. That was not the condition. That was not a condition of the capital funding that was approved by the government. There was no mention of that.

But this particular piece of legislation does that, communities that already have the systems in place and communities, Mr. Speaker, that are charging, by the way, the rate that the government had forced on them, will now have to go back again, without any recourse, and impose a property tax system in that community. Englee will have to do it, LaScie will have to do it, Seal Cove will have to do it, that is three I can think of in my constituency who will have no choice -

MP. STAGG: What about Roddickton?

MR. RIDEOUT: I will come to that in a second, Mr. Speaker. - will have no choice but to impose the property tax system in their communities. And when they were approved for the capital funding to put in place those water systems, and water or sewer systems some years ago, that was never a condition. Now there may be all kinds of arguments for it, Mr. Speaker, I am not saying that, and I said already that I would tend to agree with it if the communities in question had had an opportunity to express their thoughts, but they have not had an opportunity and will not have an opportunity because this piece of legislation forces it on them whether they like it or not. And that is why I commend to the minister, I would hope, that some sort of referendum clause could be written into this Act so that communities will have a chance to voice their opinion, communities that are concerned, will have an opportunity to voice their opinions whether or not they want to go on paying the water and sewer fee that the government tells them that they must now pay. They have no choice in that, Your Honour, because if a community refuses to put in place the suggested fee structure that the department sends out to them then the minister simply holds back their revenue grants. And that has been done, other members in the House know it has been done.

Mr. Rideout: It has been done. In some cases councils have and said, no, we are not going to do it. But the boys in here hold the power of the purse, and if they do not do it they find that their revenue grant, which they are expecting every month or so, just does not come through until it is done. So they have not had an opportunity and they will not have an opportunity to decide whether, the people in the communities, to decide whether or not they want to live under a property tax system, whether they would be prepared to increase their water and sewer fee from, say, \$144 a year to \$175 or \$180 to compensate. They may want to go various ways, especially those communities who already have the systems in place, Mr. Speaker. And what I am saying is that there is no other way for them to go under this particular piece of legislation than the way that the minister wants them to go and that is the forced imposition of property tax.

Now, the hon. member for Stephenville (Mr. Stagg) mentioned Roddickton. Mr. Speaker, thank God the property tax is not in place in Roddickton today, because who would be able to pay it? In a community where you have 75 per cent or 80 per cent unemployment, how would they ever be able to pay the property tax? They may be able to pay the \$144 a year water and sewer fee and the \$25 or \$30 a year, whatever it is service fee, but would they be able to pay \$300 or \$400 or \$500 a year property tax on top of that? And my understanding of the way property tax operates in most communities, then certainly \$300 or \$400 or \$500 a year is not a pie in the sky figure. Certainly, it is not in Baia Verte where I live, it is quite common that people are paying that amount in property tax. So that is the kind of problem, Sir, that we are going to run into. And I hope, again, that the minister will take the suggestion I have made, in the spirit that I have made it, and that is in the spirit of constructive criticism of this particular piece of legislation, to give some particular thought, some very concerned thought, considerate thought to putting into the bill some sort of referendum mechanism where the people will have an opportunity to speak, so they will have an opportunity to tell the government, Yes we agree and we are willing to do it or no,

MR. RIDEOUT: we do not do it, but they will not have to face the spectacle of having it, shoved down their throats, which is what this particular bill does now. For communities that already have the water or water and sewer systems in place, there is now no choice. Now, of course, communities that are seeking capital funding for those purposes are over the barrel. They do not have any choice either, but at least the system is not in place. If they choose to withdraw their request for capital funding, then the property tax will not be forced on them, but they certainly are, Mr. Speaker, over a barrel in the sense that if they do not agree with the government on the imposition of property taxes, then they may as well take their application for capital funding and go home, because this bill is very clear. It says that in order for a community to receive funding for those purposes in the future, they will have to agree to impose a property tax or there will be no further consideration given to it. So, there you are, they are in the corner. They either agree whether the community wants it or not or they take their marbles and go home.

Along the same vein, talking about water and sewer and property tax, another very distressing clause that I find in this bill, Mr. Speaker, is the fact that people living in communities will have no choice to pay property tax or to pay water and sewer tax if a system is put in place in a community regardless of whether or not they choose to avail of those services. Once - 50 per cent is the way I understand the act - once 50 per cent of the people say they want it then everybody else in the community, whether they hook on to the system or not, whether they use the service of the system or not, will be billed. That is my understanding of the piece of legislation that the government is seeking approval for here today. And I have to say, Mr. Speaker, that, again, I am very wary of that kind of authority. If there is, for example, for argument's sake, an old aged couple living in a community in my district who have had their own well for the last thirty or forty

MR. RIDEOUT: years and there is a water system put in and they choose to continue to use their own well - it has not poisoned anybody in that length of time - they choose to continue to use it, then, that is immaterial. They will still receive from the council, the municipality, a bill for service, whether they choose to avail of the service or not. And, Mr. Speaker, I do not think that that is good legislation; I do not think that that is necessary legislation; and I do not believe that the minister ought to seek that right from this House. I would ask him to reconsider it.

I can see that there would have to be 'x' number of percentages of the population agreed to hook on to the system before the government would agree to expend the tremendous capital expenditure that is necessary to put a water and sewer system in many communities in this Province. I can understand that. I think that it is a reasonable approach, but, if for any particular reason and if, you know, Department of Health officials and other officials cannot find any health hazard or anything of that nature in place, then I do not believe that people in this Province, in rural communities in this Province, or any community in this Province, ought to be forced to pay municipal taxes if they choose not to avail of the service. I fully agree that the government would have to have a percentage agreeing to use the system, to utilize the system, that is not my argument. My argument is, again, the forcing and there is so much forcing, Mr. Speaker, in this particular piece of legislation, people have no choice anymore.

The government is going to get its way, I mean the numbers dictate that, but people have no choice anymore, whether they will pay property taxes or whether they will use their own water system rather than hook on to the community system if there is one in place. It is just forced into a corner, and you have to like it or lump it and pay the bill, and I think that is the wrong approach. And I think it takes away, Mr. Speaker, in all honesty, it takes away from what is, in many respects, an excellent piece of legislation. There are many fine principles, the principle of consolidation and the principles

MR. RIDEOUT: of self-government and expanded self-government. There are many fine principles in this particular piece of legislation but, unfortunately, there are a number of things in it that make - that you just have no choice, if you are going to represent the views of your constituents, but to disagree with. Mr. Speaker, on the principle of regional government, again this bill is very difficult. I listened on Friday to the hon. member for Pleasantville (Mr. Dinn) again

MR. T. RIBBOUT: espouses his theory of election success or otherwise and I say now that as an individual I have no qualms of conscience, no hesitation whatsoever when it comes to the principle of regional government. In fact, I think the principle of regional government is a very, very good principle. But what does get my dander up, Mr. Speaker, is forcing it on people when they do not have the opportunity to respond to whether or not they want it. If the people of the Northeast Avalon want regional government, Mr. Speaker, and they voice their opinion in some way through a referendum or some other way that a majority of the people want regional government, more power to them, they can have regional government. They can have ten regional governments if they want it. But if the people of the Bay Verte Peninsula do not want regional government then I say that no government, be it this administration or any other administration to come, that no administration, no government has the business of forcing regional government down their throats if they express the wish that they do not want it. And that is what this particular piece of legislation again will do.

The Lieutenant-Governor in Council, Mr. Speaker, will set up in any area of the Province they wish, regional government and that is taking the onus, again, away from this house where there is, at least, a chance to express the desires and the objections, the criticism of those whom we represent if the government are going to do it in a particular area. There is no opportunity, no opportunity whatsoever for a person living on the Northern Peninsula or a person living on the Bay Verte Peninsula or the Bonavista Peninsula, to object to the imposition of a regional government if it is left in the hands of the Cabinet, the Lieutenant-Governor in Council to do.

Now, if the government had to bring a separate piece of legislation before the house, as they attempted to do last year with the Northeast Avalon Urban Region Bill, then there is an opportunity, there is an opportunity for the voices and the objections and support, if necessary, of the people to be heard. But

MR. T. RIDGOUT: this particular bill takes away that avenue, it takes away that opportunity again. And as I said, Mr. Speaker, I have no hesitation whatsoever in saying that, in principle, I like the concept of regional government but I do not like the concept of having it shoved down the throats of the people without those people having an opportunity to express, through their elected representatives here in debate, whether or not they are for that kind of government. Regional government, I would think, in certain areas of this Province can solve a lot of the present municipal problems that we face. The Exploits regional water supply, for example, is one particular project that comes to mind. I am sure Your Honour is very familiar with it. That is a good thing, that is a good project, a good concept and it can serve three or four major towns in that area. And, obviously, when you have that kind of regional service there has to be some sort of regional responsibility to administer it, to make sure that the proper revenue is collected and to set the rate of taxation and all that kind of thing. I am all for it but I am not all for it without the people who are going to be affected having the right, the very sacred right to express their views as to whether or not they want to live under that kind of arrangement. If people in my area wish to live in a separate community and not to avail of all those modern services, convenient though they may be, then I say, who are we to force anything else on them?

So to me, Mr. Speaker, it is a very devious piece of legislation in that respect. The government tried to bring the Urban Regional Bill in last year and ran into some difficulty. If they want to bring it in again fine, I have no objections to that as I have already said, but the government is now attempting to by-pass the Legislature by having this piece of umbrella legislation, this enabling legislation passed through now so that it can set up a regional government in any area of this Province it chooses to do so.

Now, I would again suggest to the minister, as I did on the property tax, that he find some way of

November 19, 1979

Tape No. 1137

SD - 3

MR. T. RIDEOUT:                    embodying in this bill a referendum  
mechanism so that the people of the area affected can have an  
opportunity to speak. The minister says that in establishing new  
town councils or new community councils he will have a

MR. RIDEOUT: feasibility report done.

There used to be in our municipal legislation the fact that a petition had to come from the community, a public meeting had to be held in the community whereby the majority of the people of voting age would say yes or no to whether or not they wanted a municipality established in that community. I see no evidence of that now anywhere in the legislation. The minister can now establish a town council, a community council, on the basis of a feasibility report, and I assume the feasibility report would just simply say "Yes, Mr. Minister, it looks like this particular area can support financially a council, therefore, if you wish to do so go ahead and do it." No avenue whatsoever, no means whatsoever, for the people living in that area to express their views. The idea, the concept, of the community meeting has been done away with, as far as I can see, in this particular piece of legislation, and people again, Your Honour, will have no choice. Again it is a force put situation where the government will force it on the community, or the town in question, if the government chooses so to do. That is the situation with property tax, that is the situation with regional government, and that is the situation with the creation of new municipalities in the Province. Other than that, as I have said, I think the legislation is an excellent piece of legislation in many regards, but unfortunately it has those three very important principles when one talks about municipal government, embodied in it. Having talked to a number of people in my constituency, people who had no opportunity to speak at the ballot box about whether or not they wanted property tax, or whether or not they might want regional government, because it was not an issue, and has not been an issue in most parts of this Province in the last number of years, they are saying, 'It is dangerous, there may come a time when we will want to go under this kind of system, but right now hold off'. The bill itself in many respects is good, but these are the bad points about it and we have had no opportunity -

MR. RIDEOUT: and I do not think that it is fair to say that the Federation of Mayors and Municipalities speaks for every individual in a municipality in this Province. I know a number of communities in my constituency cannot even afford to send their representatives out to the meetings because it is too expensive, and those who do go, basically you will find many of the larger communities there, you will find some of the smaller communities, but usually, Sir, the smaller communities are the ones that cannot afford to go to those annual meetings to make their voices heard. So I believe Sir, the power that the government is asking for under this particular piece of legislation, as far as property tax goes, as far as regional government goes, is certainly something I could not support. However, there are many parts of the bill that I think are excellent. The consolidation of all those different Municipal Acts, I think, is very important, but in those two regards, which are really, Sir, the guts of the bill, if you take those two or three principles out, you are really taking away the guts of the bill. The rest of it I could support, but I could not support this, unless the government agreed, the minister agreed, that there would be some mechanism put into this bill so that the people who are affected will have an opportunity, before imposition, to tell the government how they feel about it.

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

MR. ROBERTS: If no hon. gentleman opposite wishes to speak. If one does I will, of course, gladly give way so as to preserve the well established principle of each side of the House speaking alternately. If no hon. gentleman either wishes to, or is allowed to speak, I certainly want to say a few words on second reading of this bill.

MR. SPEAKER: I recognize the hon. member for the Strait of Belle Isle.

MR. ROBERTS: Thank you.

November 19, 1979

Tape No. 1188

ME - 3

MR. ROBERTS:

Mr. Speaker, this bill, I suppose, is probably, in size, as large a bill as has ever been presented in the House of Asserby by any minister. It has 670 sections in the bill, it runs to 344

MR. E. ROBERTS: in the bill,  
it runs to two hundred and forty-four printed pages and that is an impressive amount of work on the part of the drafts people and I think we should be the very first to recognize the amount of work which has gone into this on their part and on the part of the minister and his officials. But I do not think we should for one moment allow ourselves to be lost and allow ourselves to have our vision of the forest obscured by a consideration of the individual trees in it. Most of this bill, I venture to suggest, and I think the minister would concur with what I am about to say, most of this bill is nothing more or less than a consolidation of a number of statutes which have been on the order books of this Province for a number of years. They are set forth in section six forty-six; the Community Council's Act, the Local authority, a Control of Expenditure Act, the Local Government Act, the Local Government Elections Act, the Local Government Receivership Act. These essentially are the acts under which Municipal Government in this province is at present carried out, with the exception of at least three other acts which come to my mind and I think they are probably the only three that are relevant, the City of St. John's Act, the City of Corner Brook Act and the St. John's Metropolitan Area Act. Each of these three municipal bodies is established by a specific piece, a specific act of legislation on the part of this House. Now I have no objection at all to consolidating the law. Drafts people and ministers are beloved of consolidations. I am not sure that they are really worth getting very excited about, certainly I do not get terribly excited about this particular bill, in so far as it is a consolidation. I suppose it will be a little easier in that all of the acts are drawn together, but it is certainly a little more difficult in that this is a very cumbersome and a very large and difficult piece of legislation. It seems to be well indexed, it seems to be well put together, but it still is going to be a cumbersome piece of legislation, when one considers that it will govern not only the very large towns such as, for example, the town of Grand Falls or the town of Charnal, Port Aux Basques, major communities, but will also govern

MR. E. ROBERTS: something as small as the community Council of Saleigh in my own district, or the local improvement district of, say, Hogan's Pond, the municipal entity in which I currently reside. However, that is neither here nor there in any substantive sense, if the minister and his colleagues wish to consolidate the laws relating to municipalities then so be it. I want to talk fairly briefly, I will not use more than the half hour which has been allotted to me, about some of the new features in the bill. There are several new features, some of them do not require a great deal of discussion, I think the minister, when he spoke to introduce the bill at second reading, touched upon some of them, I heartily approve, for example, of the taking away from the minister the requirement and the power to approve a lot of the acts on the part of municipalities, I think the minister will get full consent from this side that really, that's a power that may have been needed twenty or thirty years ago when municipal government in Newfoundland and Labrador was in its infancy. let us recall, Mr. Speaker, that it is only in the last eight, ten, twelve years that we have really seen the full growth of municipal government in this province. Up until the late sixties there were relatively few municipalities, the greatest exposure came, I would venture to say, in the late sixties or early seventies when municipalities were established quite widely throughout the province primarily, I would think, in communities

MR. E. ROBERTS:

I think it is fair to say

that is probably the major motivating force that would lead people in any given area to wish to be incorporated as a municipal government. So I think the minister ought to be commended for recognizing in law what, I think it is fair and apt to say, has been so, in fact, for some time and that is that the Department of Municipal Affairs has no business supervising some of the day to day activities of municipalities. Municipalities are self-governing, they are elected by a general franchise, they exist under statute which sets forth the powers that are theirs to exercise and thus by implication of the powers that are not theirs to exercise, I think it is pointless that some of the officials in the minister's department have had to devote a great deal of their time to such things as reviewing budgets, essentially a rubber stamp. As long as the municipality is operating properly it ought not to be the concern of the department nor need it to be the concern of the department. Where a municipality gets into trouble then, of course, the minister ought to have the power to intervene and, of course, he does have the power to intervene under the legislation of this Province. No quarrel with that, I think that is a step forward. I also like some of the other requirements that will be laid down by this Act giving municipalities a little more freedom to function within their appointed power, so that is good.

But having made those points, Mr. Speaker, I have to go on to say that there are one or two major points in this statute which caused me and my colleagues on this side of the House a great deal of difficulty. A number of my colleagues have made admirable and able speeches and I do not need to repeat, even if I could, the points which they have made. I thought my colleague from Bonavista North (Mr. Stirling), who spoke in response to the minister, made a first-

MR. E. ROBERTS: class speech, one which had a great deal of wisdom in it, one which was founded on a great deal of experience and may I add, a great deal of homework. And a number of my other colleagues have made good speeches. I happened to hear, because he spoke just before me, much of what was said by the gentleman for Baie Verte - White Bay (Mr. Rideout) and I thought his speech summed up quite nicely most of the points which we on this side wish to make. A number of others of my colleagues spoke equally admirably.

I am concerned, Sir, primarily, and I will not talk about the taxation situation, that has drawn a lot of attention from members and I guess that it is right that it should and I do not need to repeat what they have said I think they have made the case eloquently. I doubt if it will have any more impact upon the minister than it would to blow upon a mountain in the hope of moving it. The minister has made up his mind rightly or wrongly and he is now as immovable as a mountain would be. But I want to talk about regional government because, I think, Sir, this is an issue where this Bill goes too far in the wrong way and at the wrong time. I am not sure, strictly speaking, that the regional government provisions contained in this Bill and essentially as, Your Honour, I know is familiar or will agree, they are found in - is it part four or part five beginning about section 300? - it is part three provides a legislative code for regional governments. I am not sure that that part ought to be in this Bill. I will not raise a point of order on it, it is essentially a nugatory point but this is a Bill to establish municipal governments. I am not sure that a Bill to establish regional government which in effect is a county system,

MR. ROBERTS:

I am not sure that that is the same in principle as a bill to establish municipal governments. In any event, I did not raise a point of order and I am certainly not attempting to do so now, it is in the bill. I do not want to play procedural games, I want to lay before the minister and his colleagues some points which I believe are valid and which I hope they will take into account.

We have had a lot of talk about regional government in this House in the last two or three years. We had a marvellous piece of parliamentary procedure perpetrated by the members of the then Opposition, of whom I was one, just before the House adjourned last Summer. We saw the then minister, the gentleman from Pleasantville (Mr. Dinn), go into a first-rate snip, and that is, perhaps, the only word I can use to describe what he did because the House had given his bill the six-month hoist. The House did not defeat the bill, but the House certainly precluded further consideration of it at that time. It is now in order to bring it back and so the government have brought it back, but they have not brought it back, Sir, and I think it is the point worth noting, as a separate bill, either a bill to set up a Northeast Avalon regional government or a bill to set up a scheme, a system of regional government or a system of counties, to use a name that is used elsewhere. I think that that, perhaps, is somewhat underhanded of the government. It certainly shows a lack of courage, in my view, because it shows that they are not willing to stand up front and centre. Instead, they are trying to bring it in as part and parcel of a much larger measure, one which deals with the presently existing municipalities throughout the Province.

Now, Sir, I have no objection to regional government. In fact, I think one of the great steps forward which we could take in this Province would be to put into place a proper system of regional government. But I do feel very strongly that a proper system of regional government ought to begin by taking its life, its

MR. ROBERTS: legislative life from a specific and a definite act of this Legislature, and that is not the case here. It is buried in and lumped in with other municipalities. I think that is wrong because, in my thinking, regional governments are an animal, a legislative animal, separate and distinct from a town council as constituted by this act. I would say to hon. gentlemen opposite, particularly those who sit mutely and meekly in the backbenches, that they ought to give a great deal of consideration to this. I know they intend to vote for the bill and I have no doubt they have done so only after what they believe to be full and mature consideration. I would not suggest anything else, but I would say to them that they are creating, helping to create by their support, a legislative monstrosity. This is not the way to bring regional government into this Province, Mr. Speaker. This is not the way to bring about what ought to be a great reform. Instead, it is being brought in almost in the dark of night, stealthily skulking about. Furthermore, what is being brought in, I would suggest, Sir, is the wrong kind of municipal government, the wrong kind of regional government, because I am talking only about regional government in this portion of what I wish to say. Gentlemen opposite ought to think about it. The gentleman from Kilbride (Mr. Aylward), who I know is intimately involved with the affairs of his constituents - and so he should be - and they expressed some strong views a year or so past, and I have no doubt the hon. gentleman is aware of their views - he may or may not be in tune with them, I am not concerned about that, he is a man who will speak when he feels a need to speak - I have no problem with that - but he ought to realize that by this bill the people of his constituency can be brought into a regional government, whether they like it or not, after a very cursory procedure. The minister may try to say to us that there shall be public notices, and that is certainly required by - I think it is Section 3(12) of the act - I may have the wrong section, but it is in the act -

MR. ROBERTS: I am sorry, I do have the wrong section, it is 302(1) of the act, and he may say that there has to be a public hearing and that is certainly required by Section 301 of the act, a commissioner appointed under the Inquiries Act, but I would say to the gentleman from Kilbride (Mr. Aylward) and to others that if they think upon that and ponder upon that a little, they may discover that is not much of a safeguard at all. A public hearing can be held very quickly, and I do not think that a change, a substantive change, of a nature,

MR. ROBERTS:

such as that ought to be done under a generic, a general piece of legislation. We have a separate act for the City of St. John's and I think that is proper. We have a separate act for the City of Corner Brook and I think that is proper. We have a separate act for the St. John's Metropolitan Area Board and I think that is proper. I think it equally proper that we should have separate acts to constitute regional governments whether it is one act for all regional governments, if the government intend to introduce a number, or whether it is simply a specific act for a specific area. But I do not know how my friend from Placentia (Mr. Patterson) district would feel if he were to awaken some morning and discover that his colleagues in the government, who do not always listen to him as he would be the first to say - they have not listened to him on the question of the Harbour Grace superport. In fact, what they have done is flagrantly against what he says and what he expresses to be, and I have no doubt are, the feelings of his constituents on that point - but he may wake up some morning and discover that the four communities which, I venture to suggest, are perhaps the central part of his district in the terms of that is where the majority, the greater part of his constituents live, Dunville and Freshwater and Placentia and Jerseyside, those four towns are amalgamated, not amalgamated into one town but are amalgamated under a regional government. And if the gentleman for Placentia has a look at the powers that can be conferred upon a regional government by virtue of section 305, he may find that they would go a long way towards negating and rendering nugatory the powers of those four communities. Now, Sir, it may or may not be a good idea to bring those four communities together but that is not the point, Sir, the point is that it can be done under this bill very quickly and, I venture to suggest, without the kind of public consultation that ought to precede such a change. I find those sections, Mr. Speaker, offensive. I think that the government ought not to go ahead with that section of this bill at this time. I think we ought to see a separate bill on

MR. ROBERTS:

regional government. They ought to go back to essentially where they were a year or so ago until they miscounted one night or bungled their legislative business such that the Opposition, which they outnumbered, was actually able to beat them on a recorded vote in this House. But the fact they were humiliated then does not justify what I believe to be or regard as a somewhat underhanded or backdoor legislative action. They are trying to do by the backdoor what the House refused them permission to do through the frontdoor. And I believe, Sir, that the government of this Province should come in through the frontdoor not skulk in through the backdoor on the question of regional government.

Under this Act, Sir, this Municipalities Act if it is adopted, a regional government could be established with extraordinarily wide powers that are set forth in the act and they are set forth in quite general terms. I think that hon. gentlemen in the House ought to be very much aware of that and ought to give some prayerful consideration to what could or could not be done under section 304 (1), 304 (2), section 305 and section 306. Section 307 and 308 give further powers.

MR. STAGG: (Inaudible).

MR. ROBERTS: My hon. friend from Stephenville (Mr. Stagg) thinks it is 306 (1) (b). Obviously, Sir, if that is the way he carries out his law practice he might look again because section 306 is one of the few sections in this act that does not have any subsections in it.

MR. STAGG: I am (inaudible).

MR. ROBERTS: The hon. gentleman may know more about the Criminal Code than I do, Sir, he obviously comes by it professionally or otherwise. I cannot comment on what he may or may not know but I can tell him that section 306 of this bill has in it no subsections at all. It stands naked and unadorned. Proud is section 306 without any further to-do.

Mr. Speaker, I do not like that grant of powers. I think it is too wide a power to put in the hands of the

MR. ROBERTS:

Cabinet of this Province. And that is all that the minister is asking but that, Sir, is everything. Why should the Cabinet take onto itself such a wide power, to set up a government that can embrace large areas of this Province? And I may add there appears to be nothing in here to designate what a region is as such. I am not sure that it might not be possible to set up a regional government that would incorporate all of the Province. That is probably possible under this act as it now stands. It may sound absurd but why does the Cabinet need that power? We are not going to have that many regional governments. Why can they not bring before the House a bill

MR. E. ROBERTS: to incorporate regional governments?

There has been no answer made to that. Furthermore, Mr. Speaker, I think it should be noted that we are being asked in this House not only to give the Cabinet the very wide powers, and the Cabinet of this Province are not so busy and this House is not so overburdened with legislation that we cannot be asked by the Cabinet to consider a specific bill to incorporate a specific defined area as a region for the purposes of regional government. But not only are we the Cabinet that power with never a to-do- in fact, I venture to say, if it had not been for my colleagues raising the wind on this one this particular section of the bill could almost have slunked by.

The minister, in introducing it, referred to it only in passing and, I would venture to say, misinformed the House. Yes, the minister looks at me, he did, I believe, misinform the House, I am sure it was accidental. I do not think he did it deliberately, I would not think that of him for a moment, but I believe he said that the regional government must be elected, that the minister had the power to appoint only for a limited period of time. I do not have the Hansard reference, my friend from Bonavista North had it, I do not know if he can get it for me. But the fact remains that under this bill we are being asked to give the Cabinet the power to set up a regional government that could embrace almost the entire Province, in fact, the entire Province. I am not sure where the city of St. John's or the city of Corner Brook would fall but other than that, certainly the entire Province could be made one regional government by Order-in-Council. Oh, there would have to be a newspaper notice, there would have to be a public hearing but, then we could have one regional government. And Section 313, subsection 1, for the benefit of the gentleman from Stephenville, gives to the Cabinet, the Lieutenant-Governor in Council, the power to provide that all of the members of that Council shall be appointed. Appointed by whom? Appointed by the minister or by the Cabinet. They do not have to be appointed, the Cabinet can prescribe that they should be elected. But the Cabinet wants to take onto itself the power to

MR. E. ROBERTS:

appoint, them. Mr. Speaker, I think that is too great a power. I think it is an unnecessary power and I do not think that we, in this House, ought to grant any Cabinet, this Cabinet or any other, such a wide, such a substantial power.

I think, Sir, those points in themselves make that section. Mr. Speaker, I have a very good voice I understand but there are, and I am not sure who it is whether it is my about to be new colleague but, you know, the acoustics in this Chamber are pretty good and we can hear what is being said and I can probably shout over them but I am not so sure that does anything for me or for the dignity of the House.

I want to say that I think that the regional government section of this bill is offensive in principle. It is a very real question whether we ought to vote against this bill on account of the regional government powers. They are probably the major new feature of this legislation. Most of the rest of it is essentially a consolidation of presently existing legislation.

My friend from Bonavista North has just passed me a Hansard page 2843, November 15th. My friend from Bonavista North said and I assume this is accurate but I will read it as it is printed, "The Cabinet can decide to set up a regional council. The Cabinet can decide to appoint that council". And the hon. minister is quoted as saying, "That is not true". Well, I will say to the minister that if his remark is accurately quoted, his remark is misleading. Yes, I would be delighted to read it again for the minister. Page 2843 of Hansard, November 15th, 1979, last Thursday, my friend from Bonavista North was speaking and he said, "The Cabinet can decide to set up a regional council. The Cabinet can decide to appoint that council". And the hon. minister, according to the Hansard said, "That is not true". Well, now, I say to the minister that if that is an accurate version of what he said, and I do not know, I was not in the Chamber at that point in time, or if I was I did not mark the remark, but section 313 of the act is

MR. E. ROBERTS: clearly contrary to what the minister said. Let there be no doubt that if this bill is adopted without change that section 113 gives the minister or the Cabinet -the Cabinet is really a collection of ministers, Sir, acting in the name and by the authority of the Governor in Council, to set up a council that is entirely appointed and that council could be given very wide powers.

MR. ROBERTS:

It could be given powers sufficiently wide that I think it fair to say those powers could negate the powers of any municipality contained within that regional area and a region, Sir, can be the whole Province. Well, the minister shakes his head. I am just simply looking at the definition of region which is subsection (m) of section 2 which simply says "region means an area incorporated under this Act as a region". And the minister shakes his head. I do not see any limitation on his powers. And section 304 does not define a region. So the minister may say he does not intend to use the power in that way. Well, I say to him if he does not intend to use it why ask for it, why take it? You know, why should this House grant to the Cabinet powers which are not only unnecessary but which the minister may well say are not needed, are not intended to be used? You know, why take a power unless it is intended to use it. The House is here and any time the power is needed the House can be asked to vote that power and I would venture to say, given a reasonable explanation, the House is quite prepared to entrust to the minister any power that he may reasonably need to enable him to discharge his duties.

Mr. Speaker, this section of the bill I feel goes too far and this causes us on this side a certain problem. The bill itself is not necessarily a bad one. It is government legislation. That does not make it bad, it raises a presumption but it does not make it bad. Insofar as it is a consolidation of the currently existing legislation, there is nothing particularly wrong with it. Insofar as there are some improvements incorporated that is to be welcomed. A number of my colleagues have spoken about this property tax and we have some very real reservations and very real questions about that.

AN HON. MEMBER: You have five minutes left.

MR. ROBERTS: Ah, I am told I have five minutes left, Sir.

MR. J. CARTER: By leave.

MR. ROBERTS: No, I will not ask for leave but I am grateful to my friend from St. John's North (Mr. J. Carter). I think the way out of it is for me to move an amendment and get another thirty minutes. So

MR. ROBERTS:

accordingly, Mr. Speaker, seconded by my friend from Fogo (Mr. Tulk) who I believe has not spoken in the debate as yet, I will move that we amend the question before the Chair by deleting all the words after the word 'that' and substituting therefore the following, 'the bill be not now read a second time but that it be read a second time this day six months hence.' And that, of course, is a six month hoist, Mr. Speaker. I suppose the appropriate thing would be to wait a second or two so Your Honour could decide whether that amendment is in order at this stage.

MR. J. CARTER: (Inaudible).

MR. ROBERTS: Oh, I am glad but all of my other colleagues wish to speak again on it. They are really impressed by this bill and wish to say a little more on it. We do not want unlimited time, we simply want a reasonable amount of time and I know my friend from St. John's North (Mr. J. Carter) would be the very first to agree with that.

MR. RIDEOUT: There is nobody speaking over there.

MR. ROBERTS: There is nobody speaking over there anyway. They have all been muted.

MR. SPEAKER (SIMMS): I would like to take an adjournment for five minutes to consider the matter.

MR. SPEAKER: (Simms) Is it agreed to stop the clock for a few moments?

With respect to the matter raised, the amendment according to Beauchesne, page 225, paragraph 742 "A traditional way of opposing the second reading of a bill is to move an amendment to the question that deletes all the words after the word "That" and substitutes the following: Bill such-and-such an act be now read a second time but that it be read a second time this day six months hence which" -

MR. ROBERTS: Your Honour said 'be now read'

MR. SPEAKER: I am sorry - "be not now read a second time but that it be read a second time this day six months hence". Therefore, the amendment is in order; however, I would like to check some precedents with respect to the decision of debate, determining whether or not debate is allowed, because there is some confusion or at least we have not got our minds totally in order. page 13 of the Standing Orders, Standing Order 36 says, "A motion may be amended: (a) by leaving out certain words; (b) by leaving out certain words in order to insert other words; (c) by inserting or adding other words. When the amendment is of form (a) above Mr. Speaker shall put a question that words proposed to be left out do stand APART of the question; which if resolved in the affirmative shall dispose of the amendment. If the amendment is of form (b) above the same question shall be put as in case (a) which if resolved in the affirmative shall dispose of the amendment, but if in the negative then the Speaker shall put the further question that the words proposed to be inserted by the amendment be there inserted. If the amendment be of form (c) above Mr. Speaker shall put a question that the proposed words be there inserted or added, which shall be resolved either in the affirmative or negative." My point is that I would like to consider the matter and give a ruling on it at tomorrow's sitting, if that is agreeable.

MR. ROBERTS: I obviously have no objection to Your Honour taking whatever time is desired. In any event, I might point out, Sir, two things that may -

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

MR. ROBERTS: - be of help to Your Honour. Standing Order 36, of course, only refers to the form in which Your Honour puts a motion to the House. It does not refer to whether or not a motion is debatable. Secondly, Your Honour is not of your own knowledge familiar, nor I would think are any of the clerks at the table, but I think, perhaps, the gentleman from Stephenville (Mr. Stagg) might be able to help. There is a precedent in this House and it is directly in point. At one stage, Mr. Speaker Russell, who now hangs to Your Honour's right -

MR. RIDEOUT: As he should.

MR. ROBERTS: And my friend from Baie Verte-White Bay says, "As he should", and I agree, every speaker hangs in this chamber at some time, Sir; Your Honour will wish to recall that.

Mr. Speaker (Russell) ruled that a six month hoist was not debatable. subsequently after he had consulted and taken further advice - he, I think, made the ruling hastily - but after consultation with authorities, including, I believe, the then Speaker of the House of Commons and so forth, he subsequently realized that ruling was not in accord with our precedents and he later in that same session - and I recall it because, as you might expect, I was involved. You know, a six month hoist, I believe, is a debatable motion, and furthermore, Sir, any member who has not spoken in the main motion, once the amendment is disposed of, may speak on the main motion, if he so wishes. I merely offer that for Your Honour's guidance.

MR. SPEAKER: The fact that you have raised those very points, perhaps justifies my position in reconsidering it, in fact, that there was a precedent, if that is agreeable.

The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, I move the House at its rising do adjourn until tomorrow, Tuesday, at 3:00 p.m. and that this House do now adjourn.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 3:00 p.m.