

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

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

THURSDAY, NOVEMBER 29, 1979

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (SIMMS): Order, please!

ORAL QUESTIONS

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

MR. JAMIESON: Thank you, Mr. Speaker. May I direct my question, I think most appropriately, to the Minister of Finance (Dr. J. Collins). Would I be correct in saying that the news with regard to the Come By Chance oil refinery as reported today is sombre, to say the least, in the sense that I am told that the Receiver or the appropriate party has indicated general disappointment with the response, and that there has been no significant bid received since the widespread advertising campaign was undertaken?

Is the Minister of Finance aware of this report and can he either confirm or deny it, or give us any enlightenment on it?

MR. SPEAKER: The hon. Minister of Finance.

DR. J. COLLINS: Mr. Speaker, I am aware of the report. I have not actually seen it myself, but it was given to me verbally. And I have not been in direct communication with the Receiver for approximately a week, I would say. I understand that the report does quote Mr. Colter the Vice-President of Peat, Marwick as saying that FAC is the only offer that they have now before them. Now I do not gainsay that. It is my intention to actually discuss with them in the near future how things are getting on. I do not gainsay what has been reported, but on the other hand I do say that the arrangements we made when the first mortgagee visited the Province approximately - it was on November 8, as a matter of fact - the arrangement was that if any inquiries or any offers came in, that these would be directed immediately to the Receiver, and the Receiver would process them and then communicate both with the first mortgagee and with ourselves as a second mortgagee.

I can say that there have been a few inquiries that have come to the notice of the Province. We did not

Dr. J. Collins: assess them in any way, we did not look into them - this was not the arrangement - we immediately just passed those names on to the Receiver. I have no idea whether these were substantial, whether there was an inquiry as to the details, as to the First Arabian proposal, and how that was faring or whether indeed there were proposals in their own right for purchase. I have no detail on that. I know that there have been inquiries, though.

MR. JAMIESON: A supplementary.

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

MR. JAMIESON: I am assuming that the first mortgagee in this case is EOCOD. Could the hon. Minister of Finance (Dr. J. Collins) confirm or deny another report which appears to have credence, namely that in discussions with Newfoundland's representatives, presumably as the second mortgagee, that there were indeed some deadlines set beyond which it was at least doubtful whether the first mortgagee was prepared to continue the costs of maintaining or of "mothballing" the operation, and that indeed that there is a very real possibility that there may be, if no substantive offer is received, the information I have is that by the end of the year, they will indeed look to the Government of Newfoundland for some kind of assistance.

MR. JAMIESON: or perhaps indeed request that the Government of Newfoundland take over the mothballing or that some other action occur after that date? In other words, are we up against a fairly tight deadline in terms of preserving the facility? I am sure the hon. the minister understands the concern that that would cause.

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

DR. COLLINS: Mr. Speaker, as I think was previously stated, when ECDG and the Receiver visited us on November 8th they wanted to check out with us a number of points. I think there were seven in all. They really essentially just wanted to update themselves in case the Province had changed its views or whatever. Now one of the things they did bring to our attention - they did not actually, at that time, ask for a definitive response at that time, at that meeting - one of the points they did bring up was that the cost of mothballing, which has gone on for a considerable period of time now and I believe amounted at that date to some \$21 million, that this was becoming an onerous task for the first mortgagee and that at some point in the future if a prospective, a very clear prospective buyer was not in sight, that they would have to seek some relief from it. No actual time was laid down. No hard and fast time was laid down, but I think the general understanding was that around the end of this year or the beginning of next year, unless there was something clearly in sight, this matter would have to be gone into. It was not clearly stated either that the Province was being asked at that time, but I think the fact that it was brought to our attention is a hint in that direction.

Now the overall cost of mothballing extends both to the Receiver's cost and to the actual cost out at the plant itself. Our perception was that the cost in terms of the Receiver would not be requested of anyone else, that this was really the first mortgagee's responsibility, they were considering that their responsibility and they would not be looking for relief from that side of things. They would be looking for relief from the actual, technical mothballing of

DR. COLLINS: the plant. That would be considerably less than the amount which was quoted to be between \$500,000 or \$600,000 a month as the overall cost. So the amount actually that they would look to seeing as being spread around. If that is their intention would be considerably less than that \$500,000 or \$600,000 a month.

MR. JAMIESON: A Supplementary.

MR. SPEAKER: (Sirms) A supplementary. The hon. Leader of the Opposition.

MR. JAMIESON: This matter is of such importance that I hope the minister appreciates that I am in no sense wanting to either raise alarms or do anything else. I am seeking information in a quite factual sort of way. Could I ask the minister if indeed the situation emerges - and I take it that ECDG can, as the first mortgagee, simply say as of today or tomorrow, "We are ceasing to do this" and presumably they

MR. JAMIESON: would have the virtual, total authority- could I ask, in a sense a double-barreled question; Is the Newfoundland Government, as the second mortgagee, in any position to insist on the maintenance of the plant in preserved fashion? And secondly, if there is, as seems to be suggested, some portion of that cost which would fall upon the Government of Newfoundland, is it, in fact, or has consideration been given to accepting that responsibility in order to ensure that the facility is kept in good shape?

MR. SPEAKER: (Simms) The hon. the Minister of Finance.

DR. J. COLLINS: In terms of insisting that the plant be maintained, I am certainly no expert in the legal field, and if any of my colleagues wish to expand on that I would be only too glad if they would, but certainly I think our position would be - and we have stated this position - that we would encourage the first mortgagee to continue the mothballing for some considerable time if that was necessary -

AN HON. MEMBER: Right.

DR. J. COLLINS: - because we feel that the situation is very fluid - there could be changes - which have a beneficial effect on the refinery almost at any time - and that it is really an increasingly valuable asset as time goes on and as there is more and more talk that less sophisticated refineries than the one out of Come By Chance will have to upgrade themselves so as to deal with the type of crude that is becoming available in the world now, as they have to get into the considerable cost of upgrading themselves to handle that, whereas we have a sophisticated plant out there that can now handle it if the defects are corrected - and I understand they are correctable - that this is an increasingly valuable asset. So we left it quite clearly in the mind of ECGD that we would be encouraging them in every possible way to continue keeping the plant well mothballed and well protected.

With regard to the second part of the question, I think it related to whether we were actually asked to bear a proportion. Has consideration been given to that? RD , we just took the

DR. J. COLLINS: message that they may be seeking some relief from the burden at some point in the not-too-distant future. We just took the message, we have not processed it any further in any clear way because we were not asked to do so. We just took the message and if they should come back to us, we will just have to deal with it at the time.

MR. JAMIESON: I will leave it at that.

MR. SPEAKER: (Simms) The hon. the member for Terra Nova.

MR. LUSH: Mr. Speaker, I want to direct a question to the hon. the Minister of Labour and Manpower. In view of the evidence coming out of Ottawa that there will be some changes made to the unemployment insurance, and in view of the minister's amiable relationship with his federal counterpart, I wonder if the minister can indicate to the House whether he has been in touch with the minister concerned to ascertain just what these changes will be?

MR. SPEAKER: (Mr. Simms) The hon. Minister of Labour and Manpower.

MR. J. DINI: Yes, Mr. Speaker, as a matter of fact within the past ten days I was in touch with the federal minister and to this point in time he has not gotten back to me but I intend that if he has not in the next day or so I will be getting in touch with him early next week again.

MR. T. LUSH: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. member for Terra Nova.

MR. T. LUSH: Mr. Speaker, in view of the fact that any changes related to the UIC, particularly as they affect the rates of UIC that are received presently and in terms of the qualifying period, in view of these two factors if they were to be changed that they could affect particularly the workers of this Province tremendously, I wonder if the minister has made any representation on behalf of the workers of this Province pleading with the federal government not to make any changes with respect to the rates, certainly in terms of putting it down, and secondly, in terms of changing the qualifying period?

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. J. DINI: Mr. Speaker, the federal minister in acknowledging the communication, just after my telephone conversation with him and the meetings that we have had, indicated that when a determination is made, and it should be made in the very near future I would expect that it would be made within the next week, he would contact me and let me know what the ramifications are, at that point in time, knowing what the changes may or may not be then, of course, I can make a representation to him. Included in discussions we had about three weeks ago were unemployment and job creation programmes which also included the amount of time people would have to be unemployed to apply for and take part in some of

MR. J. BINN: the employment programmes. So, I have just finished a complete review of that as laid out by the federal minister and will be getting back to him, communicating with him, on that early next week also, so that is part of a whole package and, as I say, next week I will be getting in touch with him.

MR. T. LUSH: Final supplementary, Mr. Speaker.

MR. SPEAKER: (Mr. Binns) Final supplementary, the hon. member for Terra Nova.

MR. T. LUSH: Mr. Speaker, I am not sure that I understood the minister precisely. The question I have asked is whether the minister has made any representation up to this point stating this Province's or his government's position with respect to UIC, or did I understand that he is waiting for the regulations to come into effect first?

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. J. BINN: No. As part and parcel of all of the discussions that have gone on with the hon. Mr. Atkey with respect to job creation programmes, training programmes and the programmes that will be laid out in the budget

MR. DINN: of December 11th., that whole package was discussed with Mr. Atkey along with the possibility of changing the unemployment insurance programme format in amount of weeks etcetera, in that twice I have been with the department and Mr. Atkey since the June election. We have sat down and discussed the whole programme for the next three to five years, and included in that was unemployment insurance with no specifics at any point in time. Before he makes any changes with respect to unemployment insurance, he has indicated to me that he will let me know. So he will be letting me know prior to the budget or prior to any major decisions, decisions that have not been made up to now, any major new decisions on unemployment insurance. When he does and only then can I make a comment with respect to the changes that he would propose.

MR. T. LUSH: A final supplementary, Mr. Speaker.

MR. SPEAKER: (SIMMS) I indicated a final supplementary the last time, but seeing no other member is standing, the hon. member for Terra Nova.

MR. T. LUSH: Certainly, Mr. Speaker, the hon. minister can present today his government's position and assure the workers of this Province where they stand with respect to any reduction in the unemployment insurance benefits as they stand now, and secondly, tell the workers of this Province where his government stands with respect to any change in the qualifying period.

MR. SPEAKER: Hon. minister.

MR. J. DINN: Mr. Speaker, it is not as simple as the hon. member says. There are a lot of items that have been discussed with Mr. Atkey, all inclusive. All these items put together bring about programmes that would be very advantageous to this Province. Now you cannot take one and just throw it out, you have to go through the whole scheme of things, and that is what we are doing right now. When we get that done, we will be making our position clear and that will be early next week when I get my position with respect to the proposals made by Mr. Atkey to me. When that happens, the hon. member will be one of the first to know.

MR. SPEAKER (SIMMS): The hon. member for Carleton Place.

MR. R. MOORES: Mr. Speaker, I have a question for the hon. the Minister of Health (Mr. House). And I should preface the question by explaining that for some time now the General Hospital in Carleton Place has been adversely affected by pollutants that are being emitted from the town's coal plant. Just last week a person very influential on the Board of Directors of the Carleton Place General Hospital indicated to me that after this summer's coal plant production and the pollutant that has been emitted, there now exists the potential for a very serious health hazard in the General Hospital there. My first question to the minister is: is he aware of the extent of the

MR. MOORES: problem and does his department have any opinion on the matter?

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

MR. HOUSE: Mr. Speaker, the member did mention it to me a couple of days ago so I took the opportunity to look it up, and I thank him for making me aware of the problem, because it is a specific problem that I would not ordinarily be aware of unless somebody was calling me a day or two before. And the fact is that there was the problem and there were letters and correspondence to the Department of Health from 1977 and of course it was discussed in conjunction with the Department of Consumer Affairs and the Environment. And there has been a lot of work done; for instance, in that period of two years they have put in a new scrubbing programme and equipment and they have built an indoor storage for the offal. In 1977 there were a lot of problems, in 1978 there were less, and last year they had one period I think, when there were a lot of bad odours there.

The fact is that the hospital was built, of course, after the fish meal plant was there and the ventilators face towards the plant. I contacted the Administrator and the Administrator is satisfied that they can live with the problem as it exists now. It was only once this year, she advised me, and this is Miss Lockland I think - Miss Lockland or Mrs. Lockland - only once this year there was any problem.

We are still looking at one other thing. Of course, we think, you know, that we have to keep monitoring it all the time and the Consumer Affairs people are doing that, and we also are looking at the possibility of putting a different kind of a filter system in the air intake.

MR. SPEAKER: A supplementary, the hon. member for Carbonear.

MR. MOORES: I gather from what the minister has said that he acknowledges that there is or could be a very serious

MR. MOORES: health problem, and that acknowledgement in itself to me is satisfying that at least the minister is prepared at this point. My concern now is that there is, or could be, a serious health problem and that I believe, or I happen to believe what the member of the Board of Directors is telling me, that there is very serious concern on the part of the hospital. Is the minister prepared to say, even perhaps to give a partial commitment, that his department is prepared to take drastic action in the event that there is a health problem that occurs?

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

MR. HOUSE: Mr. Speaker, the Department of Health has not determined that it is a health hazard. I do not think it is a health hazard there. It is a community problem, there is no mistake about it. There is an industry there, the

Mr. House: meal plant, and of course, there are a lot of materials, bad odours from it, malodorous materials coming in from practically all parts of the Avalon Peninsula. It is, as I say, a good, viable industry.

We do not think it is, at this point in time, neither does Consumer Affairs think it is a health hazard, but we do think that it is a bit of a nuisance and that we will be constantly monitoring and ensuring that the odour is kept down, and that the plant can function also.

MR. SPEAKER (SLYMS): The hon. member for Bonavista North.

MR. STIRLING: Mr. Speaker, thank you very much. The question is to the Minister of Manpower (Mr. Dinn). Has he had an opportunity yet to get an answer from his federal colleague in connection with the letter he found the other day that I wrote him about the carpenter situation? Has he had an opportunity to get an answer yet?

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, I got an acknowledgement of receipt of my telegram to him, but I do not have a reply to the hon. member's letter, not in detail.

MR. STIRLING: A supplementary.

MR. SPEAKER: A supplementary, the hon. member for Bonavista North.

MR. STIRLING: Thank you very much, Mr. Speaker.

Since writing you that letter this now has developed into what may be a major problem of a difference in concept between the Federal Government and our Newfoundland way of life and way of doing things. Has the minister undertaken to investigate this very serious conflict in interpretation between what they want to do at the federal level and what is going to happen with our Newfoundland way of life and way of doing things?

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, I have not taken other action. I mean, I have received, outside of the hon. member's information

Mr. Dinn: and the two hon. members who signed the letter along with him, I have received representations from other hon. members, and I have received some other information. But until I get a reply from the hon. Mr. Atkey, that is, with respect to the request I sent him, then I do not feel that other action is necessary at this point in time.

MR. STIRLING: A supplementary, Mr. Speaker.

MR. SPEAKER (SIMMS): A final supplementary, the hon. member for Bonavista North.

MR. STIRLING: Thank you, Mr. Speaker.

Now that the minister is aware that we are talking about a very serious problem of widespread concern, and we do have people who have been told to pay back as much as \$12,000, people who are on unemployment insurance, will he now agree that this is serious enough that he should contact one of his colleagues in Finance or the Premier to get sufficient funds set aside so that they can investigate just how widespread a problem this is, and to see whether or not the Province should not be funding the appeal, because really it is an appeal on behalf of our way of life? Could the minister undertake to do that?

MR. SPEAKER: (Simms) The hon. the Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, as I have just indicated to the hon. member, I do not think it is necessary at this point in time until I get a reply from the hon. Mr. Atkey. When I do get a reply, I think then action can be taken. I assume that Mr. Atkey will give me a reply to my telegram early next week. If I do not get a reply, then I will be in contact with him directly. He has been notified, the federal Minister of Finance (Mr. Crosbie) has been notified and things are unfolding as they should.

MR. STIRLING: A supplementary, Mr. Speaker.

MR. SPEAKER: I indicated a final supplementary, unless the hon. the member for Bale Verta - White Bay (Mr. Rideout) wishes to yield.

MR. ROBERTS: How about a final, final supplementary?

MR. SPEAKER: The hon. the member for Bale Verte - White Bay.

MR. RIDEOUT: Thank you, Mr. Speaker. My question is for the Minister of Consumer Affairs and Environment (Mrs. Newhook). The minister is aware, I am sure, that at the present time, public hearings are being held throughout certain parts of Labrador so that the public in that area might have an opportunity to present its views with regard to the environmental impact of the Kitts-Michelin development. Could the minister tell the House when she anticipates that those public hearings might be completed and when the minister anticipates receiving the report?

MR. SPEAKER: The hon. the Minister of Consumer Affairs and Environment.

MRS. NEWHOOK: Mr. Speaker, yes, there has been a schedule set for the public hearings. They are to commence on December 3rd and they will be at Happy Valley - Goose Bay on December 3rd and 4th, at Northwest River on December 5th, at Makkovik on December 6th and 7th and at Postville on December 8th. This is a tentative schedule and if we find during the process of these hearings that this schedule does not give sufficient time, then the schedule will be extended. I really cannot say just how soon they

MRS. NEWHOOK: Will be completed because it will depend on the numbers of people attending and the amount of information they are requesting. But I would say that possibly within ten days should take care of the public hearings. And then, of course, we have to wait for a report from the chairman of the board and that report comes to the minister. Then, when the minister gets that report, it is evaluated and then the minister makes a report to Cabinet.

MR. RIDEOUT: Mr. Speaker, a supplementary.

MR. SPEAKER: (Simms) A supplementary, the hon. the member for Baie Verte - White Bay.

MR. RIDEOUT: Mr. Speaker, I think the time frame that the minister has given us really brings out the crunch of the problem. The company, I understand, in this environmental impact statement, makes the following statement: "The agreement" - the agreement to develop, that is, to go ahead and develop the deposits - "The agreement is subject to government and regulatory approvals both in Canada and Illinois and being able to successfully negotiate the necessary detailed agreements prior to the end of 1979." Now if the public hearings are

MR. T. RIDECUT: not going to be completed until late in December, am merely asking the minister, are those public hearings being forced into a very stringent timetable so that the people of the area may not get a chance to put forth their case because of this agreement with their partners in the U.S.A. that if it is not all in place by the end of 1979 the project may not go ahead at all?

MR. SPEAKER: (Mr. Simms) The hon. Minister of Consumer Affairs and Environment.

MRS. H. NEWBROOK: Mr. Speaker, I do not know anything at all about this agreement. I do not think it has much priority with government. The hearings will go ahead and will take as long as is reasonably necessary. The report will be forthcoming and really and truly I do not see the report from the board being forthcoming by the end of December of this year, so there is absolutely no pressure on government or, at least, if there is, government is not responding to any pressure to have a decision by the end of the year.

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

MR. G. WARREN: Mr. Speaker, I have a supplementary to the Minister of Consumer Affairs and Environment concerning the Kitts-Michelin uranium project. Although government has been told by several consultant groups that the provincial government should assure the responsibility to clearly explain to the industrial developers that land claims is an issue in any development in Labrador, has the provincial government explained to BRINEX that land claims is an issue?

MR. SPEAKER: The hon. Minister of Consumer Affairs and Environment.

MRS. H. NEWBROOK: Mr. Speaker, land claims is not in the terms of reference with regard to this development, so I would not expect the proponent to answer questions with regard to land claims. I think it is a question much, much bigger than this public inquiry and it should be addressed in a different forum altogether.

MR. SPEAKER: (Mr. Simms) The hon. member for LaPoile, we have time for one quick question.

MR. S. NEARY: A quick question again to the Minister of Consumer Affairs and Environment, Sir. The Newfoundland Fishermen Food and Allied Workers Union ^{UAF} made some very serious accusations concerning the cost of living in Labrador and has made representation to the minister's department to have an investigation, a full-fledged inquiry into the cost of living in Labrador. Would the minister tell the House what action has been taken on the presentation that has been made by the union, whether the minister has taken any action, what kind of action and when we can expect a report on this particular situation?

MR. SPEAKER: The hon. Minister of Consumer Affairs and Environment.

MRS. H. NEWBORN: Yes, Mr. Speaker, there is a prices comparison study being taken now. We have forwarded forms to Labrador and there are certain people up there who are checking the prices. We will be doing a similar checking here in St. John's, Grand Falls and on the West coast, probably Corner Brook, and then these prices will be compared.

MRS. NEWHOOK: and if there is a significant difference, then we will try to determine what that difference is, whether it is due to freight or different costs or what. This report then will be available to the people in Labrador.

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

PRESENTING PETITIONS

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

MR. E. ROBERTS: Mr. Speaker, I am in a somewhat unusual position as I stand to present a petition for a district other than the one which I represent in the House of Assembly. It is not improper under the rules, of course, but it is unusual. Yesterday afternoon a committee of citizens from the community of Clarke's Beach in the district of Fort de Grave came to see me and asked me to present the petition. I gave notice to my hon. friend, the member for Fort de Grave district (Mr. Collins) that I would be doing so. I sent him a note a few minutes ago, I do not know if he has a copy of the petition I did not have one to give him at that time but I have one here now if he would wish to have it.

MR. HON. SPEAKER: I do not think he is fussy.

MR. E. ROBERTS: Well, I do not know if he is fussy or not, but the committee certainly felt that they would not be fussy and that is why they took the unusual step of coming to me, the member on the other side of the House.

The petition is signed by 378 citizens of the community of Clarke's Beach. I do not know the population of the community of Clarke's Beach precisely, but I would venture, Mr. Speaker, that that is a very large proportion, possibly 40 per cent to 50 per cent of the adult population of that community. The prayer of the petition, I think, Mr. Speaker, sets forth quite succinctly and clearly the purpose and the intent of the people who signed it. Perhaps I could be permitted to read it in presenting the petition.

MR. E. ROBERTS: It is headed, Petition re: The Conception Bay Highway through Clarke's Beach, and it says, "Whereas we the undersigned were not sufficiently informed about the council's - and that the council of the town of Clarke's Beach - the council's extended efforts to have a three lane highway pass directly through the centre of our town, the withholding of which information accounts for the lateness of this protest; and whereas we are in total disagreement with this project which is most certainly NOT" - and the word 'not' appears in capital letters - "NOT" in our estimation in the best interests of the town of Clarke's Beach; and whereas the creation of a three lane drive through this area is detrimental to the safety of pedestrians going to places of business and public buildings there; and whereas the creation of a third lane, be it a holding lane or otherwise, greatly increases the already very dangerous risk of entry on to the main highways from the access roads of Clarke's Beach; and whereas other town councils, Harbour Grace

MR. ROBERTS: to name but one, are more concerned with the safety of their own citizens and have therefore provided parking facilities and walks for pedestrians and they are NOT concerned - again the word NOT in capital letters - primarily with the smooth flow of through traffic, be it clearly understood that we stand in opposition to all efforts to proceed with this project as planned. And we affix our names to this petition strongly urging Council, and the government departments involved, to have the highways so marked as to preserve the lane now used for South bound traffic as an area for parking and pedestrian traffic and the remaining area of highway service to constitute a two lane highway as before."

Mr. Speaker, as I said, this petition has been signed by nearly 400 citizens of the town of Clarke's Beach. I know the area fairly well. Many non. members will. They tell me that the creation of this third lane will create, in their opinion, a very definite hazard to people walking through the community. I gather they have met with the Council and got no satisfaction. I gather they have met with the Minister of Transportation and Communications, who heard them out courteously but was not able to accede to their request. I gather they have tried to see the Premier and had absolutely no success at all in arranging an interview with the Premier to present their concerns to him.

The Committee, Mr. Speaker, and I know they speak for the people who signed this petition, obviously view this matter as one of great seriousness, of great import, and of great urgency. As I understand, the Department of Transportation crews are in the area today laying the yellow lines; in fact, they were there yesterday and the day before, and the people came out and blocked them, stood in front of them, and the men went away and did not press ahead with the work.

I would ask that the petition be referred to the department to which it relates, the Department of

MR. ROBERTS: Transportation and Communications.

This is a provincial highway we are speaking of. I would hope, Sir, the minister, and the member-and let me say that I have no desire to embarrass the member, I realize this is not something calculated to win brownie points from him for me, but I am responding to a request made to me by these people, and they have considered their request and upon consideration of it felt this was the way they wanted this petition to come to the House.

But I would hope, Sir, the minister will respond to this petition. I think it is a reasonable request from what I know of it. And I venture to say that if there is no positive response, and if at some point we are so unfortunate as to have an accident in which somebody is hurt, or even killed, then, Sir, that will be much too late to act then. I think that what the department proposed to do, as I understand it, is thoroughly unreasonable. I think it would be eminently more sound, Mr. Speaker, if the department would do as the petitioners request and carry on with the road according to the request of the men and ladies who signed this petition. I present the petition, Sir. There being no pages to present it, but I present it anyway.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): The hon. member for Port de Grave.

MR. COLLINS: Mr. Speaker, I would like to thank the member for the Strait of Belle Isle (Mr. Roberts) for giving me prior notice of the petition. I was quite aware of the petition and the contents of it and I have done quite a bit of research into this matter over the last three or four months.

There are a couple of points I would like to make here. They say in their petition that they have not been informed of the situation and I certainly think that this is the responsibility of the Committee. They were very lax in this matter. The first request for this third lane, this holding lane, went to government approximately six years ago and they have left it until the last minute, until the pavement was being laid, before they made any motion or had any input

MR. COLLINS: into it or even were concerned
as to what was going down there.

How they can say that a holding
lane is hazardous when I counted twenty-seven holding lanes coming
in the Kenmount Road this afternoon, and they say one there would
be a hazard to the people, I cannot agree with it.

I have been meeting with Council,
We have had four separate meetings concerning this matter, strictly
this matter, and Council are in full support, unanimously, fully
supportive of this move. So I do not understand why the Committee
is petitioning against it. If there was more checking done into it,
I think there would be an ulterior motive as to why they do not want
this lane there. And I am afraid I have to agree with Council and
the Department of Transportation, who surveyed this, and the safety people
who surveyed it. Everyone has come to the agreement that this
would be a great help to keep the flow of traffic going through
Clarke's Beach and there is no safety hazard involved. So I stand
in my support of the Council on this matter and the Department of
Transportation.

Thank you.

ORDERS OF THE DAY:

MR. SPEAKER (Simms):

The hon. President of the Council.

MR. MARSHALL:

Motion 1. We have the first readings today.

Motion, the hon. President of Treasury Board to introduce a bill, "An Act To Amend The Members Of The House Of Assembly (Retiring Allowances) Act," carried.

(Bill no. 62)

On motion, Bill No. 63 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Industrial Development to introduce a bill, "An Act To Ratify, Confirm And Adopt An Amending Agreement Entered Into Between The Government And Burgeo Fish Industries Limited And Others," carried. (Bill No. 72)

On motion, Bill No. 72 read a first time ordered read a second time on tomorrow.

Motion, the hon. the Minister of Justice to introduce a bill, "An Act To Amend The Companies Act," carried. (Bill No. 73)

On motion, Bill No. 73 read a first time, ordered read a second time on tomorrow.

On motion that the House resolve itself into a Committee of the Whole House on Bill 58, Mr. Speaker, left the Chair.

COMMITTEE OF THE WHOLE

MR. CHAIRMAN: (Baird)

Order, please!

MR. ROBERTS:

Does the clerk read the title or is it in order for me to say a word or two as a suggestion? I simply want to suggest, if my learned friend the Government House Leader will concur, this is a very large or lengthy bill and we have on occasion in the past taken sections by groupings instead of by asking the clerk to call each one. I have spoken to one or two of my colleagues and I think we will be prepared, if you wanted to, say in decades, in groups of ten, we would be prepared -

AN HON. MEMBER:

Divisions.

MR. MARSHALL:

If I may -

MR. ROBERTS:

I am not sure I would agree to have it done by divisions. No. The divisions are very large. I am sorry. I would not agree to that.

MR. MARSHALL:

So you would want it in ten sections?

MR. ROBERTS: Some of the divisions, Mr. Chairman, have fifty sections in them and that would mean - there are only ten or twelve separate divisions, I would prefer that we do it - I think it will go just as quickly. We should spend some time on legislation. The House is not simply a sausage processing machine. I know my learned friend would agree with me.

MR. MARSHALL: I think the way to do it, we can do it in tens but perhaps we can move, for instance, when we get into it now presently, the Committee, the first amendment that I see is one in Section 10. Can I get the hon. member's attention? The first amendment is, for instance, Section 10. We could go in blocks of ten but perhaps I could move that, you know, Section 1 to 9 pass and then you can call Section 10 and we will get in then to the amendment. But I will do it in blocks of ten.

MR. ROBERTS: Sure. Okay.

MR. MARSHALL: If something is in the middle we want to be sure we catch it and amend it.

MR. ROBERTS: And if we should miss an amendment, obviously leave to revert will be given. We may not like the bill but we are not going to be that nit-picky.

SCHE HON. MEMBERS: Hear, hear!

MR. ROBERTS: I wonder if it would expedite things if my learned friend the House Leader, Mr. Chairman, has amendments could the number - I see the minister is fulfilling the functions of a page. I thank the minister and I would say that he is not nearly as efficient nor nearly as attractive as the pages.

AN HON. MEMBER: Do we have copies?

MR. ROBERTS: I have one copy.

MR. CHAIRMAN: (Baird) Shall clauses one through nine carry?

MR. STIRLING: Mr. Chairman.

MR. CHAIRMAN: The hon. the member for Bonavista North.

MR. STIRLING: Mr. Chairman, in clause two, as I understand it, where it sets out the definition, there is no definition of a city, and yet, when we get to Section 309 in talking about the ancillary powers of a regional government, Section 309 (2) (1) (a) in effect, with the approval of Cabinet the regional government may "acquire any of the fixed assets of the municipalities and cities necessary for the exercise of the powers of the regional council, without compensation but including the assumption of the liabilities and obligations associated with these assets;" I am not a lawyer, but presumably, since you have defined councils and community councils, the city should also be defined in that list of definitions.

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

MR. N. WINDSOR: Mr. Chairman, I can only assume that any reference to a city would refer to cities defined under the City of St. John's Act or the City of Corner Brook Act.

MR. ROBERTS: Mr. Chairman.

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

MR. ROBERTS: Thank you. In other words, does it follow then, Mr. Chairman, that the government using the power under - Section 309, was it?

AN HON. MEMBER: Regional council.

MR. ROBERTS: 309 (2) could authorize - Let us assume a regional council were to be created for, say, the Northeast Avalon area - and I would think it a fair suggestion that that is a likely area in respect of which a regional council might be created - that using the power conferred under Section 309 (2) (a) and (b) that the Cabinet can make an order affecting the city of St. John's and the city of Corner Brook even - you know, that is a question. If, in fact, it can, which is what the minister seems to imply and what the act would seem to authorize,

MR. ROBERTS: then, of course, that knocks in a cocked hat the minister's statement on second reading that this bill did not affect the city of St. John's and the city of Corner Brook, because in fact this bill, if adopted, would give the Cabinet the power to wipe out the city of St. John's and the city of Corner Brook in everything except name, and that may be a reductio ad absurdum, or whatever that particular phrase is, but it is certainly not an impossibility. And, of course, I have long had the theory that if the government do not need powers in legislation, they ought not to take them. So I raise the point with the minister and if, in fact, it is not the government's intention to affect the city of St. John's and the city of Corner Brook by this bill, as he states - and I accept him at his word, of course - then surely the act ought to be amended to make that crystal-clear. Because as this bill now stands, a number of us on this side feel, and the minister seems to concur, that it could be used to create a regional council which would have the power to wipe out effectively, in everything but name, the city of St. John's and the city of Corner Brook by using a combination of Section 2 and Section 109 and creating a region and giving that regional government the power to acquire the assets without compensation - that does not bother me, by the way, if they take the liabilities that go with them - to use regional services, to assess municipalities and cities. You know, that is the whole point of it. And I think that is a very serious flaw in the whole bill and it is one which, in the view of myself and a number of us on this side, is going to require extended debate, because we think it really goes to the heart of the government's entire position. And if, in fact, the bill says what we fear it means, then, Sir, I would venture to say that the minister's statement on second reading is not correct and the House has been under a misapprehension on second reading of this bill.

MR. H. WINDSOR: Mr. Chairman, the statement I made on second reading related to, of course, all the general provisions of the act, that this act does not cover the city of St. John's as it relates

MR. N. WINDSOR:

to all the other items.

AN HON. MEMBER:

It is a regional (inaudible).

MR. ROBERTS:

(Inaudible) general. It is one of the main precedents.

MR. N. WINDSOR:

Nevertheless, the hon. gentleman's statement that this act, even if his interpretation of this particular clause is accurate, he implies

Mr. Windsor: clause is accurate, he implied that we could wipe out the city. That is hardly so, because the Act states very clearly the regional powers that may be designated to a regional council.

MR. ROBERTS: I said wipe it out in everything but name, and there will be precious little left.

MR. WINDSOR: No, no. We could not because you would only take over regional facilities.

MR. ROBERTS: Yes, and a regional facility is what? Could the minister tell us, Mr. Chairman, what a regional facility is?

MR. WINDSOR: Well, the regional powers are spelled out quite clearly in Section 305.

MR. ROBERTS: Yes, I know. And would the minister now care to talk about what they are? Because, of course, Section 305, Mr. Chairman, as the minister will have to admit, leaves it largely in the eye of the beholder, and the beholder in this case is the Cabinet, as to what a regional power is. It says, "The construction and operation of regional - and it uses the word "regional" so we go back to the clause now before the Committee. Your Honour may be wondering whether all of this is regional. Right? Whether all of this is relevant.

Well, the word "region" appears throughout this. Now what is a region? A region is something incorporated under this Act as a region. In other words, a region is something that the government say is a region. And I would say to the minister that it is not impossible that the sovereign, independent municipality of the local improvement district of Hogan's Pond could be declared a region under the powers of this bill, you know.

Now that may sound absurd, but I will tell you legally it looks me to as if that is possible. And while I do not intend to be the be all and the end all of the Bar, I pretend to have or hold myself out to have a degree of competence,

Mr. Roberts: great or small. And, you know, we could have a regional government that could just wipe out the city of St. John's and the city of Corner Brook. I have now driven the minister from the Committee, I do not know what that means, but I am not going to wait here, you know, while the minister does us the discourtesy to leave. I move the Committee adjourn, Mr. Chairman, until the minister returns to put his bill through Committee.

MR. MARSHALL: Mr. Chairman, on that motion.

MR. ROBERTS: Adjourn the debate.

MR. MARSHALL: I think the hon. minister, I think, has probably gone to -

MR. ROBERTS: Well, maybe he is, but he did not - you know, let us wait a minute or two then -

MR. MARSHALL: Yes, sure.

MR. ROBERTS: - because I do not think he meant any discourtesy but he went and he is gone.

MR. MARSHALL: No. I am quite sure he did not.

MR. ROBERTS: Well, I will withdraw my motion by leave and we will just stand around for a minute until the minister gets here and can deal with the matter, because I think it is a very serious matter indeed, and I am not pettifogging. I mean, I am prepared, and a number of my colleagues are prepared, I think, to have some considerable debate on this particular part of it, because this, Sir, is a very important matter.

Now the minister may well have wished to consult. I think, we have just driven a garbage cart right through the bill, and I expect the minister might want to have a word, but I think we are going to need amendments.

Here is the minister now. Can the minister speak to the point that I just raised? I mean, I will say it again for him. The definition, the powers of regional government

Mr. Roberts: are to deal with regional services.

Correct?

AN HON. MEMBER: Yes.

MR. ROBERTS: That is fine. That is duck

soup. That is ducky. Well then, what is the word "regional"? Well "regional" is not defined. The draftsperson has not seen fit to give us a definition of the word "regional", the adjective. But the draftsperson or persons, the drafts people if there is such a phrase, have given us a definition of the noun from which the adjective is derived. And the definition of the noun is found, Mr. Chairman, in the very clause before the Committee now, Section 2 (m) "region means an area incorporated under this Act as a region." Now that is like the famous definition of limnography and oceanology, and I know the minister appreciates the definition, but for the benefit of those who do not, an oceanographer is a freshwater - I am sorry, a saltwater limnologist, and a limnologist is a freshwater oceanographer.

So, you know, this bill, I say again to the minister, gives to the Cabinet, not to the House - it does not give it to the House, we have that power - but gives to the Cabinet the power to wipe out in everything but name, to wipe out in everything but name, the city of St. John's and the city of Corner Brook. And the minister shakes his head. I tell him that shaking his head is not good enough. He has got to put forth some cogent and lucid reasons. I tell him that power is there. The Cabinet may declare a region, and a region could be small as the municipality of Hogan's Pond, it has got about 110 God-fearing, loyal, taxpaying citizens in it; they pay their taxes as assessed -

MR. CARTER: The House has the power

MR. ROBERTS: I am sorry?

MR. J. CARTER: This House has the power to do this.

MR. ROBERTS: I agree completely with my friend for St. John's North (Mr. Carter), this House has that power. Every

Mr. Roberts: municipality in this Province is, to use a term that many people take offense with but is correct and it is not meant to be offensive, every municipality is the creature of law of this House. And this House has the power to give to the minister the power he is asking. I mean, I could not contend that the bill is ultra vires to this House, I would not do that, but I say the bill is wrong in principle. And this clause is wrong. We are not talking about the principle of the bill any more, we are talking about clause (2).

But I say to the minister or to the gentleman for St. John's North (Mr. Carter) that this bill gives to the Cabinet the power to declare the community of Moçan's Pond, 110 people, a region, nothing in here saying it is not. It could also declare the city of St. John's a region. It could declare the provision of

MR. ROBERTS: garbage collection services within the city of St. John's a regional service. The minister shakes his head, but I say to him, point me out the section that limits it, point me out the words that limit it, point me out the provision of this act where I am wrong. I mean, I will gladly admit I am wrong if I am wrong, and that has been known to happen, too.

I will now yield to the minister and hear what he has to say because we can come back at it and we will, depending on what he says.

MR. DINN: The point is I would like to correct what the hon. gentleman said on the collection of garbage. Section 305 clearly states, 'The operation of regional solid waste disposal sites', not collection facilities. It designates water supply systems, not distribution systems; it designates sewerage disposal systems, not collection systems. In other words, you are talking about facilities that may be operated on a regional basis but not distribution systems within a community.

MR. ROBERTS: Would the minister care to go on and read, 'including any facilities designated in the order as regional facilities'?

MR. DINN: Yes.

MR. ROBERTS: And then read Section B. I mean if the minister, Mr. Chairman, would care to read sub-section (b) of that Section 305 to which he refers, it talks of regional police services, ambulance services, animal and dog control and "other similar services within the region as may be prescribed." By whom? By our friend, the Cabinet again. And the Cabinet could easily, you know, to use my example, could easily under that power declare the collection of garbage to be a regional responsibility.

You know, the minister ought not to confuse two things. I do not think the minister is trying to hoodwink us and I do not think he has been hoodwinked. The minister ought not to confuse two things with each other, because they are not the same.

MR. ROBERTS: One is giving instructions that legislation be drafted having in mind a certain scheme, a certain plan. Another is what comes back and what the minister brings before the House, and I would say the powers to be conferred by virtue of this Section 2, Mr. Chairman, to relate it specifically by definition of that word 'region', that those powers are far beyond what the minister intended to have, are far beyond what he wants, are far beyond what he intends to use and, if that is so, he should not have them. He should not have them, but I will tell him they are there. I will tell you the powers are there, they are infinitely beyond what this government have in mind. But how do we know that the minister will continue to be the minister? He is a reasonable man, but supposing we had someone like the gentleman from Bonavista South (Mr. Morgan) as the minister? You know, I mean disaster could strike overnight.

MR. HOUSE: What about the member for Bonavista North (Mr. Stirling)?

MR. ROBERTS: If we had the gentleman from Bonavista North we would be in infinitely better hands, I say to the Minister of Health.

MR. HOUSE: (Inaudible) a lot.

MR. ROBERTS: Yes, we would be in well hands. Or the former Minister of Education could be recalled to his portfolio or to a portfolio, you know.

The Minister of Municipal Affairs (Mr. W. Windsor), in this bill, Mr. Chairman, is asking for very great powers. Now, if he needs them, that is one thing. But he said he does not need them. Then why is he asking for them? If he has not a reason, then let us stop giving them to him. I do not think the minister sat up at night and cooked up this scheme to do it. I do not think he had that in mind. I will say that this is a clear-cut case where the minister has not read the bill. He has read it, oh sure, he has read the words, I do not doubt that, but he has not understood them, he has not understood them in a legal sense. I say that this bill goes far beyond what the

MR. ROBERTS: government wants in this House, and I say we should not give it to him.

MR. MARSHALL: Well now, Mr. Chairman, if I may, we compress logic to the extent that it becomes absurd, I would suggest, and I think it is a little bit absurd when you look at this bill to say that this bill could eliminate a city council. I mean, it does not.

MR. ROBERTS: (Inaudible) does not say St. John's (inaudible)-

MR. MARSHALL: But what we are talking about here is the establishment of regional councils. You know, a regional council will exist and within that region also, I dare say, will exist municipalities and city councils and what have you. The bill is not geared for that purpose, not intended for that purpose. And I would suggest to the Committee, Mr. Chairman, that it does not effect that purpose. Certainly under Section 306 it gives the Lieutenant-Governor in Council certain powers and under that whole division, Division (B), with respect to it but I do not really follow the argument merely by not defining "city", which was how this original mini-debate got under way when the hon. member for Bonavista North (Mr. Stirling) observed that the city was not defined. The hon. minister replied, in effect what he said was that city really is defined because there are only two cities in Newfoundland, covered by the City of St. John's and the City of Corner Brook Acts respectively, but I do not see now how all of this - I just really have to point out to the Committee I do not see the reason behind it, I mean, it sounds logical and all of that but you have got to govern and temper your observations, what have you, with the test of reasonableness and I would say that this is an eminently

MR. MARSHALL: reasonable bill and the sections we are considering, you know, would not bring into effect the abolition of the City of St. John's, City of Corner Brook, or for that matter any other municipality. It would be quite absurd, I would agree with the member for the Strait of Belle Isle (Mr. Roberts), to say that the minister could, I suppose, under this bill, I suppose he could make the local improvement district of Hogan's Pond, or what have you, a regional council in itself. But, you know, that would be absurd and I suppose there are many powers that are granted to the Executive Council, which, if exercised in a way that was unreasonable, would lead to an equally absurd result. But this bill would not. The ultimate test of tempering any government, of course, in carrying out absurdities and other things, is the will of the people. And I really do not follow the argument.

MR. ROBERTS: Well, Mr. Chairman, we are making some progress and I regret that my learned friend does not follow the argument but you know, you can lead a horse to water but you cannot make him drink, as the old saying goes. I will have to go over it again.

Fortunately, in Committee we have unlimited, as Your Honour knows, unlimited opportunities as long as there are two members who alternate and as long as they are relevant. And the thing about a definition clause is it is relevant to almost anything you care to say.

Now, we made some progress at least. My learned friend opposite agrees that the interpretation that we have put forward is possible. He had to agree with that. It is just as well. I mean, he could not argue, even the learned gentleman from St. John's East (Mr. Marshall) could not argue against that, and he has played some sticky wickets in his time.

MR. MARSHALL: argues against the competition.

MR. ROBERTS: No, he never. He does not listen to anybody either. That is part of his problem. However, that is another story. There will be another place, another

MR. ROBERTS: Forum for that. He does not even answer letters which humble solicitors write to him soliciting an answer.

Now, Sir, that is another story.

The problem here is not just with the absence of a definition of the word "city"; that is one problem. The problem is really, in addition to that, with the definition of the word "region". The minister says that my argument possibly is taking the matter to the limits of logicity. I do not disagree with that. I have no problem in saying that my argument may very well go beyond the reasonable. But, Sir, to concede that only supports my argument because, of course, my argument goes no further than the statute does. And when I say my argument goes somewhat beyond the logical and the reasonable, or to the limits of the law, it is logical but it goes to the limits of logicity, and it certainly goes beyond reasonableness, as does the government's bill on matrimonial property where they talk of - they would not put in the word "reasonable", talked of "unconscionable" instead. So if I go beyond reasonableness, I am not beyond unconscionabilities. My argument goes no further than the statute does. So I would say to the minister and to his learned colleague and to all, the whole group in the Cabinet - it is their bill; the minister happens to have the unenviable task of shepherding it through, just as in due course he will have the unenviable task of defending it, and living with it. But of course I can console him with the knowledge that he has probably lasted longer now than any Minister of Municipal Affairs. You know, being Minister of Municipal Affairs in this Province, Mr. Chairman, in the years since Confederation has really been a place for a self-confessed masochist, and I think the gentleman who sits for Pleasantville (Mr. Dinn) would concur with that, that it is a very onerous position indeed.

MR. ROBERTS: I have seen many ministers come and go. I do not know - I suppose Mr. Beaton Abbott, was the first Minister of Municipal Affairs that I can recall. In my time, you know, we have had - I am not sure I could name them all. I am not sure I could name all the Tory ministers.

AN HON. MEMBER: John Nolan.

MR. ROBERTS: John Nolan was a Minister of Municipal Affairs. Eric Dawe was a Minister of Municipal Affairs.

AN HON. MEMBER: The Premier.

MR. ROBERTS: John Crosbie was a Minister of Municipal Affairs.

AN HON. MEMBER: Harold Collins.

MR. ROBERTS: Harold Collins was a Minister of Municipal Affairs. Val Earle was the Minister of Municipal Affairs.

AN HON. MEMBER: Where have they all gone?

MR. RIDEOUT: Brian Peckford.

MR. ROBERTS: The Premier was a Minister of Municipal Affairs. The gentleman from Pleasantville (Mr. Dinn) was a Minister of Municipal Affairs. I do not know - I have probably left out - The door to the office of the Minister of Municipal Affairs is pivoted in the centre because it is a revolving door. So I say that by means of a -

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: Well, the minister may feel he got stuck half way through. The minister is out substantial girth, g-i-r-t-h, as are many of us. But the point I am making is he can, in the dark of the night, when the three hundred and ninth council has descended on him for something that is not within his power to do, he can console himself with the thought that the cup will pass from him in due course.

But the minister distracts me.

The minister takes me away, Mr. Chairman, and I have no desire to be taken away from that. The point is this, that my argument goes to the limits

MR. ROBERTS: of logicality, it goes beyond reasonableness. But, Sir, it is consistent with the bill. And so I would say to the minister that I think what he ought to do is to come up with a definition of the word "region" which will limit the power of the Cabinet. Oh, horrible thought! Imagine limiting the power of the Cabinet! You know, I have been in a Cabinet and

MR. ROBERTS: I can understand the sort of mental rot that sets in to any man or lady who takes the Queen's oath, and I am sure my hon. friend from St. John's North (Mr. J. Carter) - he is not learned, at least within the term in which we use that in the House; he may be in another sense - would be the very first to agree that a mental rot sets into a man or a woman when His Honour the Lieutenant-Governor swears that man or woman into office as a minister and you undertake to reveal intestine insurrections as did, for example, the President of the Council. He revealed an intestine insurrection and he was excreted from the Cabinet as a result thereof to carry through the analogy - or excreted himself, I think, to do the gentleman full credit.

MR. J. CARTER: (Inaudible).

MR. ROBERTS: My friend from St. John's North (Mr. J. Carter) knows all the short terms, Sir. I will leave it to him. If you are in the savoury business, I guess, you come to know these things, do you? Some of us, Sir, are in a less savoury type of work.

Mr. Chairman, the problem is that the Cabinet are asking for powers beyond that which they need and the mental rot which sets in any person who becomes a minister of the Crown is they begin thinking the House is irrelevant, the House is just used once in a while to ratify legislation or give the Cabinet further power, and it is this bundle of powers which taken together represents the sovereignty of this Province as constituted by the British North America Act, and really, it is only a temporary aberration. That the sovereignty rests with the House of Assembly, it ought really to rest with the Cabinet. And you get to the point hon. gentleman opposite have got to on occasion - and I will not say their predecessors did not - where you simply say, "The House of Assembly is really just a nuisance. Do we have to put up with it?" And this bill reflects that attitude. I do not think the minister intended it to, I do not think anybody intended it to, but all of a sudden it does and I find that

MR. ROBERTS: section very, very offensive for that reason. I think what the minister ought to do, Sir, is we will let Clause 2 stand for a bit. The draftspeople are within earshot, I suspect, and let them come up with some words to limit 'region'. If the minister says he does not want powers, why does he take them? Now he can be stubborn. He can say, "Oh, well, what we write is in letters of bronze and it cannot be changed," and he will have his way in the short-term, but he will be here for longer than he ought to be here getting his bill through the committee. I think that the word 'region' ought to be eliminated and I think the word 'city' ought to be defined, and I think that it ought to be made crystal clear exactly what the government can do under the guise of creating a regional authority. I have voted against the principal of this bill. I do not think it ought to be in this bill. I think it ought to be a separate bill. I have no problem with the concept of regional government, but I have a great deal of problem with the way in which it is being done by this government. I think we are seeing it snuck, if there is such a word, we are seeing it brought in by the back door. The government are trying to do by indirection that which they could not do by direction. So what ought to be done is the definition of the word 'region.' There ought to be some limitation put on it. You could limit it, I suggest, Mr. Speaker - Mr. Chairman. I am sorry, I keep upgrading Your Honour and thus in upgrading I probably downgrade and I have no intention, Sir, of doing either or of doing anything other than paying due and proper homage and deference to Your Honour in response to Your Honour's rulings thereupon. So the point is, Mr. Chairman, that there are two ways in which it could be limited. One is to a number of square miles or square whatever they are in metric - what are they in metric? What is the unit of square measurement in metric? Hectares? Some of us have enough trouble with acres. But when we were at school, there were rods and chains and what else were there? Furlongs?

AN HON. MEMBER: Perches and rods.

MR. ROBERTS: Perches and rods. I do not know if that language is parliamentary, Mr. Chairman, but anyway you could limit it by so many hectares, you know, provide that a region shall not contain less than, I do not know, so many hectares. What is the ratio of a hectare to

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PAS

MR. ROBERTS:

an acre?

AN HON. MEMBER:

Two and a half acre.

MR. ROBERTS:

A hectare is two and one half acres.

AN HON. MEMBER:

Two and one half acres is one hectare.

MR. ROBERTS:

Two and one half acres is one hectare.

SOME HON. MEMBERS:

Oh, oh!

MR. ROBERTS:

Now will the two of you make up your mind?

I do not pretend to know.

SOME HON. MEMBERS:

Oh, oh.

MR. RIDEOUT:

As usual they do not know what they are talking about.

AN HON. MEMBER:

I am really not too concerned.

MR. ROBERTS:

Well, I know, well the point is an important one that there ought to be a -

AN HON. MEMBER:

2.5

MR. ROBERTS:

2.5 acres in a hectare or vice versa?

AN HON. MEMBER:

Acres per hectare, yes.

MR. ROBERTS:

So if we were to say, for example, that no region shall be set up in respect of

MR. E. ROBERTS:

less than 100 hectares, that

would be 250 acres.

MR. DINN:

That's right.

MR. ROBERTS:

The hon. gentleman for Pleasantville

(Mr. Dinn) is not only nicer, he is smarter and handsomer than his friend for Mount Pearl (Mr. N. Windsor) -

MR. RIDEOUT:

Mount Pearl Arena.

MR. N. WINDSOR:

Personal abuse, Mr. Chairman. That

is unparliamentary.

MR. ROBERTS:

That is not personal abuse, Sir, that

is truth. The truth is a defence to liable.

Now the other way to amend that section,

of course, is to limit it in the sense of a given number of people. I do not know what would be reasonable - 20,000 or 50,000 or 80,000 or 100,000, I really do not know - but I think that either would be a way to go and in that way we would take away from the - not from the minister, take away from any unreasonable successor he might have. If for example, Heaven forbid, the gentleman for Bay of Islands (Mr. Woodrow) my friend and sparring mate, should have to give up being West coast assistant to the Premier at the sum of \$10,000 per annum cash, for which he earns his daily bread, I have no doubt, if he should have to give that up and take a demotion into being the Minister of Municipal Affairs, a member of the Cabinet, then perhaps, Sir, that power might not be so judiciously used. So I would say to the minister, in all seriousness - I fear he thinks I am not being serious; I tell him I am being deadly serious - that he ought to ask that particular section to stand. We are going to be on this bill this day, I can assure him, and possibly tomorrow and maybe some days after that.

MR. STAGG:

Come on!

MR. ROBERTS:

Well, my friend for Stephenville

(Mr. Stagg) says, come on! If he wishes to return to other pursuits -

MR. STAGG:

(Inaudible)

MR. E. ROBERTS:

Well, if my friend for Stephenville

wishes to answer his letters, I wish he would. In so saying, I hope his answer is the one I want, because I do not want an answer other than the one I want from him. I have had the other kind.

MR. STAGG:

I have news for you.

MR. E. ROBERTS: Yes, I suspect, Sir, like the member from Stephenville, that is outside the relevancy rule. I am being very serious when I make this point, it is an important point, and one which I think ought to be given some consideration. There ought to be some restriction placed upon the definition of the word 'region' as it appears in this section which is the one under discussion. In addition, I would say to the minister that there ought to be a definition put in of the word 'city' to make it quite clear exactly what it is we are up to. So, what has the minister to say to all that?

MR. N. WINDSOR: Mr. Chairman, I would like to point out Section 304 which gives the Lieutenant-Governor in Council; not the minister, by the way; the hon. gentleman keeps referring to the power that the minister will have. The power is the Cabinet of the Province, the government of the Province, subject to a feasibility study.

MR. ROBERTS: Oh, great! Oh, great!

MR. N. WINDSOR: - as we discussed, I think, two days ago. We talked about the feasibility study and I indicated that as part of that feasibility study there is certainly no reason that there could not be a plebiscite. The hon. gentleman at that time -

MR. ROBERTS: No requirement there must be.

MR. N. WINDSOR: No requirements that there must be admittedly. There is a requirement that there would be a public hearing.

MR. ROBERTS: Does the Cabinet have the power to go against the feasibility study if they so wish?

MR. N. WINDSOR: Yes, they are not bound by the feasibility study.

MR. ROBERTS: Let us make that clear, too. There could be a feasibility study recommending against it, and the minister and his colleagues in their wisdom or in their stubbornness could say the opposite.

MR. N. WINDSOR: We would have to have good cause, obviously. Mandatory public hearings so that there would be every input, and the minister has the right to have a plebiscite

The hon. gentleman asked me a question a couple of days ago which I undertood to get the response to, I was looking for it at that time in the Department of Municipal Affairs and housing Act, I did not find it because it was in the back in the amendments, but there is an amended section of the Department of Municipal Affairs and Housing Act called Plebiscites, clearing outlining the authority and the power.

MR. E. ROBERTS: The government have the authority to order plebiscites from time to time.

MR. N. WINDSOR: The hon. gentleman questioned that the other day.

MR. E. ROBERTS: No. I questioned this act and the hon. minister gave me -

MR. N. WINDSOR: The power is under the Municipal Affairs and Housing Act, as many other powers are. Many of the powers vested in the Cabinet and the minister are given to them under the Department of Municipal Affairs and Housing Act.

MR. E. ROBERTS: You might draw the conclusion that is why we have a Municipal Affairs Department Act.

MR. N. WINDSOR: Exactly. The point I want to make is that many of the powers are in that particular act rather than being given here.

MR. E. ROBERTS: I agree, but unfortunately we are not amending that act.

MR. N. WINDSOR: There is no great extension of power here.

MR. E. ROBERTS: We are not amending that act.

MR. N. WINDSOR: Eventually there are certain things that can be done, but under the existing legislation the Cabinet has the authority to dismiss councils, appoint commissions, whatever, for due cause.

MR. E. ROBERTS: But no authority to create a regional government, what we are worried about now.

MR. N. WINDSOR: All we are doing is giving them a similar power here. It does not give them any authority to appoint regional councils responsible for local problems, local issues, local services plus regional services.

MR. E. ROBERTS: Gives them every authority to appoint for regional services which are what the Cabinet deems them to be.

MR. N. WINDSOR: Exactly.

MR. E. ROBERTS: Yes, exactly. That is the whole point of it. Exactly. I suspect we are going to be a lot longer on clauses

MR. STIRLING: Mr. Chairman, I thought that was a fairly innocent question that started this debate.

MR. BIDEOUT: The minister's answer touched it off.

MR. STIRLING: Do I understand from the minister, now, that he agrees that since municipality and town and local council - does he agree now that the city will be defined in this list of definitions? I thought it was a fairly

MR. STIRLING: simple question. Would the minister now agree that 'city' is going to be defined?

MR. N. WINDSOR: I am not sure if it is necessary. I will undertake to get an opinion as to whether or not it is necessary to have a city defined, but certainly there is no difficulty in defining a city.

MR. STIRLING: Well, again, you see, the reference to this whole act - this whole act is going to say, With this authority, the community council - it used to be a community council; the local improvement district, it used to be - the towns are all going to get their authority from this act and the regional council.

Now, Mr. Chairman, I do not understand how a minister who is as sensitive as this minister is and who visited many councils as he did - and, as I said, in my opinion is a good minister - I cannot understand how a minister as sensitive as this did not have the courtesy to send out a copy of this very detailed, very elaborate, very significant act, did not have the courtesy to send a copy of that act out to the people who are going to be governed by it. And a further indication of that same continuation of the fact that 'You are going to have it regardless,' is that only today we have been given a number of amendments. I presume that those amendments have not even been sent to the executive of the Federation of Municipalities, and we are here today dealing with amendments which are substantial changes - substantial and substantive changes - and ones that I agree with, those that we have brought up in this House and you have agreed to some of those amendments.

MR. N. WINDSOR: I would point out to the hon. gentleman, I was under no requirement to give him a copy of the amendment at all until I introduced it. I did it out of courtesy.

MR. STIRLING: I have no doubt about the courtesy to the members of the House. The question of courtesy I am talking about is the courtesy to the people who are going to be affected by this. Once we debate this for the next six or seven months or whatever time

MR. STIRLING: it takes to get it through the House, once we have finished with this debate, this House will not be affected by this, because most of the authority goes to the Cabinet, but the people who are going to be affected are the voters right throughout this whole Province, the people who live in municipalities, and there will be no area - and this is one of the good things about the act - there will be no area that will not have the possibility of some kind of local council. But these very people, these 2,000 people, who are trying to administer the affairs of this Province through their municipalities, have not been given the courtesy of a copy of the act that they are going to be governed by, and they still do not have a copy of it. I asked a number of them some questions.

MR. WINDSOR:

You are not relevant now.

You are not relevant to Clause (2) now.

MR. STIRLING:

It is relevant in this respect -

I have asked the question about definitions because I have to ask it in the dark on behalf of many of the municipalities because they do not have a copy of this act. They are going to be governed by it and they do not have a copy of it.

You have said publicly, 'The city of St. John's is not going to be affected by it; the city of Corner Brook is not going to be affected by the act.' That was said publicly in speeches. The press carried it. So most of the people in Corner Brook and St. John's have taken the minister at his word. Now, in the definition there is no reference to city, and yet when you get to the powers - and maybe it was just picked out of another act, maybe it does not belong in here at all. I will be delighted if the minister says, 'Oh, I am sorry, that also was a mistake; that really does not belong in there.' - the minister indicated it was a mistake, that he did not really mean to put in the act that there should be only appointed members to a regional council or the authority to appoint, and he has, I believe, in the amendment; as soon as we get copies we will see that. I hope the minister will confirm that this also is a mistake. But if I were a member, either as a resident of

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MR. STIRLING: the city of St. John's or a resident
of the city of Corner Brook, I would be very much concerned about an
act which says that the Cabinet has the authority - and here is what
it says - "acquire any of the fixed assets of the

MR. STIRLING: municipalities and cities. Now, we told them all through the debate and they believed them because the minister is a good minister. He has never lied to them and they believed him once he said, "The City of Corner Brook is not going to be affected by this act, the City of St. John's is not going to be affected by this act." But way over here buried on page 101, Section 309, this council, this regional council -

AN HON. MEMBER: Are you debating the bill?

MR. STIRLING: No, we are debating the definition of 'city' and the need for definition. Under definition, the need to define 'city' -

MR. THOMS: We can say anything we want under that section.

AN HON. MEMBER: (Inaudible).

MR. STIRLING: Yes, well, you see, that would be - if you agree to do that, then I can proceed. Do you agree to do that, cut out city?

AN HON. MEMBER: (Inaudible) suggest.

MR. STIRLING: No, no, make up your mind.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: You see, I will take the word of the minister that he will define 'city' in the definitions, and then I will leave the point, if the minister will say that. But the last time that I took the word of the minister, I took him at face value until I read the act. Now I have the ability to read the act because we are presented with a copy, but nobody in the cities and towns throughout the Province has had the opportunity to ask these questions, and they are going to be the ones affected by it, bound by the regulations, bound by the act. Just in case, for the benefit of the Minister of Finance (Dr. Collins), in case he thinks that this is a figment of my imagination, there is a telegram from the Town of St. George's, which is not a Liberal district. It is not represented by a Liberal member at present; it is a very Liberal district. "We feel that authority to set up regional council as well authority to take away responsibilities and assets from town councils

MR. STIRLING: should not rest with the Cabinet, but, as a safeguard, should rest with the House of Assembly" - cover that by definitions, if you like. From Port Saunders, "I, as mayor of Port Saunders, feel that the government elected by the people of this Province, and I refer specifically to the Cabinet, should not have the authority as stated to disregard any input from the House of Assembly. And, probably more important to the people of this Province, this decision gives implication that the Province of Newfoundland is on the threshold of dictatorship and communism. The government elect is only there to represent the people. They should at least have enough expertise in planning to consult the people about such a major decision."

AN HON. MEMBER: (Inaudible) Port Saunders.

MR. STIRLING: Port Saunders.

AN HON. MEMBER: (Inaudible) first one.

MR. STIRLING: The first one was St. George's.

AN HON. MEMBER: Who was that signed by?

MR. STIRLING: St. George's. Richard MacDonald, mayor.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: I will keep it going, if you like.

MR. WINDSOR: Read all the replies to the telegram that you sent out yesterday.

MR. STIRLING: I will do that. I will do that.

MR. WINDSOR: Include them all. I am the one who told you to refer to the Federation, too. Read all of them.

MR. STIRLING: I agree with that, we intend to. We intend to, but the Minister of Finance (Dr. Collins) feels that it is only a concern of this side of the House, and I am reading a couple of telegrams from some of the councils.

DR. COLLINS: As amended.

MR. THOMS: What is the good? You will not even listen anyway.

MR. STIRLING: I was asking a question, and I really thought we were going to get off this in about thirty seconds. I thought the minister was going to get up and say, "Oh, sorry that must be an omission. I will have 'city' defined". If he had said that, we would be on. There would be nothing to be done about

MR. STIRLING: it. Does the minister now agree that he will define 'city'? If he will, I will sit down and we will proceed. So there you are. The question that we have to ask is, "Why, if the City of Corner Brook and the City of St. John's or any other city that may come into being, if they are not defined, then which cities are you referring to when you say you can acquire any of the fixed assets of the municipalities and cities without compensation? Which cities are they that you refer to in that area?" Maybe the minister would like to answer that.

MR. WINDSOR: Sorry, I missed the last part of that question. I wonder if you would repeat that.

MR. STIRLING: Which cities are you referring to since you do not define 'city' and you -

AN HON. MEMBER: There are only two cities in the Province.

MR. STIRLING: Yes, okay, and suppose there is going to be another ten?

MR. WINDSOR: Why should cities be treated any differently than any other municipality?

MR. STIRLING: That is right. Well, why not define it? You do not include it in your definition, that is the very problem. You define municipality. Do you want to know what you define municipality as? community, town and a region. You do not define the city as a municipality.

MR. WINDSOR: That is right, because it does not apply here through all the other provisions of the act. (inaudible)

MR. STIRLING: But this is a major provision of the act. I agree if you will take out regional government, then we can have no debate on regional government. Take out that section of the act.

MR. WINDSOR: The point I am making is that where it referred to municipalities - a community, town or region--all other aspects of the act refer only to those communities, towns and regions with no reference to--

MR. STIRLING: It is a very simple thing. Why do you not just change city so the major part of it - it is just a question of defining it. I thought it was a fairly simple thing, that you were trying to get an act -

MR. WINDSOR: Why do you want us to define it?

MR. STIRLING: - that will do the job you want it to do. It has 600 sections in it, and you just left out reference to the city, that is all. If you agree to define it, then I will sit down.

MR. WINDSOR: I will take it under advisement and get back on it.

MR. STIRLING: Okay, thank you.

MR. THOMS: Mr. Chairman, in connection with this particular section, I would like first of all, of course, to disassociate myself with the reference that my friend from Bonavista North made a couple of times, that he thinks this minister is a good minister. I certainly do not think this minister is a good minister. He would not have brought in this particular act enforcing and pushing down the throats

MR. THOMS: of the people of this Province property taxes and regional government. Maybe the whole exercise is useless anyway; it certainly proved to be useless in the debate on The Matrimonial Properties Act, Every time we made a suggestion for a reasonable amendment to the act, then we were told by the Minister of Justice, who is sunbathing down in New Zealand somewhere,

AN HON. MEMBER: Now, that is not called for.

MR. THOMS: That is where he is, is he not? Anyway, we were told by the Minister of Justice that "Oh, you have a good point there, it is a very reasonable point, but this is the policy of the government. Even though it is wrong, it is still the policy, and our policy may be wrong, but we are still going to put it through."

AN HON. MEMBER: That is right.

MR. THOMS: We are getting the same thing here now. Every time we suggest a reasonable amendment, then we find the whole front bench over there to be most pig-headed and stubborn, and become so suddenly defensive, whenever we suggest what we consider to be a reasonable amendment to the act. All the minister had to do, -what? An hour and a half ago - was to agree to define the word city in Section 2 of this act, and we would have carried on. Now what is so unreasonable about that? But no, the minister had to get pig-headed and had to get stubborn, and had to get defensive about this particular section of the act. So what are we doing? It is just like the convoluted logic I heard in connection with another section of this act the other day when discussing the public tendering aspect of the act. The logic is, the reasoning is, the municipal act in that particular section is defective. The Public Tendering Act, I hope the President of the Council will forgive me seeing it is his baby, but the Public Tendering Act is defective, it forces ministers of the Crown to pay more for certain materials, where they are extending a contract, than if they had

MR. THOMS: the authority to negotiate lower prices. So I ask the minister why not? - a very simple amendment. All they had to do was instead of saying the same unit prices is say the same or lower unit prices, asking to put in two words that would enable this government to save the taxpayers of this Province thousands, and thousands, and thousands of dollars, . What do I get? - Oh no, the Public Tendering Act is defective, therefore this Municipal Act must be defective as well. What convoluted logic, what pig-headedness, what stubbornness. I went through this frustration when we were talking about the Matrimonial Properties Act. I can see now that we are going to have the same frustration in talking about the the Municipalities Act. All we are doing is trying to do a job. We are giving reasonable, what we consider to be reasonable amendments to the act, and what do we get? We get the back of the minister up right away.

MR. L. THOMS:

A very simple request, Mr. Chairman; we want city defined. We do want city defined. You know, what does he mean? It is a very simple, very simple definition. And what happens? We get the President of the Council standing up and saying, "Oh, yes, the authority is given to the Cabinet but if he did that it would be absurd. But we want the act to give the Cabinet the authority to do that which is absurd. Convoluted logic again. Why give that authority to the Cabinet if, what they can do under that authority, would be absurd? It does not make any sense to me and the only explanation is that the front bench across this aisle, every time we make a reasonable request for a definition, for an amendment to the act, they become pig-headed, stubborn and defensive.

Mr. Chairman, as I said, we are just asking for a simple definition of city under the act, which would solve our problem. All the minister has to do is stand up or sit down - I do not care which way he does it; it is probably going to be wrong whichever way he does it; obviously, if you read this act long enough you would find out. The problem is, of course, the problem is that the minister suffers from what an awful lot of people suffer from on the other side of the House in connection with this bill, what the Minister of Consumer Affairs (Mrs. H. Newhook) suffered from when she spoke a couple of days ago on this bill, has not read the act, he has not read the act. The Minister of Finance (D. J. Collins) has not read the act.

AN HON. MEMBER:

(Inaudible)

MR. L. THOMS:

No, not saying that everybody is out of step, I am saying that you are stubborn, you are pig-headed and you are defensive and every time we ask for a reasonable amendment this pig-headedness, stubbornness and defensiveness comes right out.

SOME HON. MEMBERS:

Hear, hear.

MR. L. THOMS:

If the Minister of Lands and Forest (Mr. J. Morgan) would stand here, was in this House to debate this particular act, clause by clause for the next two years, I am quite

MR. L. THOMS: happy to do it with him, quite happy to do it with him.

Mr. Chairman, that is simply what we are asking for and we cannot get any co-operation. I mean, this was going to be the co-operative government, I mean, the Premier, every time he stood on his feet in the first session in this house, was trying to be so very co-operative. What do we find all of a sudden? We find how stubborn you can be, how unco-operative you can be when you are trying to force something down the throats of the people of this Province.

MR. W. MARSHALL: Mr. Chairman.

MR. CHAIRMAN: (Mr. Baird) The hon. President of the Council.

MR. W. MARSHALL: Just a few words because we are really spending an awful lot of time on a simple definition.

The hon. member for Grand Bank (Mr. L. Thoms) in his very spirited remarks he made - it is not a case of being stubborn, we have accepted amendments in Committee. Having said all that, you know, despite the tenor, I think it is well to remember that it is the government's responsibility to bring forth measures and we bring forth these measures, we brought forth this as a matter of policy only after some very, very careful consideration of all those implications. Now the hon. member, I do not know whether he was here in the House the other day, but the member for the Straits of Belle Isle (Mr. E. Roberts) got up in Committee and made what was a very valid observation with respect to a certain matter of Matrimonial Property Act that we had accepted.

MR. THOMS: (Inaudible)

MR. W. MARSHALL: Wait now, just a second now; there can be differences of opinion between reasonable gentlemen. Despite what we say from time to time, there are reasonable gentlemen on the other side, as I am sure the hon. member concedes there are reasonable gentlemen over here. We really do not see that there is any necessity to put in - now, I am not stating this like the hon. gentleman is stating his position as being Holy Writ but I am just saying, you know, from our poor, humble position,

MR. W. MARSHALL: after having considered this bill and considered all of its implications hour after hour, we do not consider it necessary to put in a definition of cities. Why? Because cities are defined already in our statute law. There are two cities in this Province, the City of St. John's and there is the City of Corner Brook; both of them have been defined under our existing statutes. If there are any other cities that grow up, as there probably will be under this administration, because prosperity seems to be abounding in the past six months—

SOME HON. MEMBERS:

Hear, hear.

MR. MARSHALL: - there will be other acts with other cities and that goes where it will apply to. Now when you are talking about making amendments in committee, you have to be pretty careful you know as to what you are doing; all of a sudden you just pick out an amendment-this is the way it should go in and, you know, what have you. From what I have heard from the other side, despite the persuasive arguments that have been made and despite the vigor with which it has been pursued, I do not myself feel that there is any necessity to define the word cities. The city of St. John's and the city of Corner Brook are not affected directly by this act in the manner that the other municipalities -

AN HON. MEMBER: Not true.

MR. MARSHALL: Now this is the point you see, now. The hon. member says that is not true. This gets to the whole gist of the whole reason why the point is being hammered in the first place, they want to be able to give the impression that this bill applies directly to cities, as directly to cities as it does to town and municipalities - which it does not. The regional government aspect of this bill applies or can apply - does not apply now, can apply - to cities. There can be regional governments relating to the city of St. John's and the city of Corner Brook but it do not. I beg your pardon?

MR. L. STIRLING: I am not a lawyer, as I said, and I am just reading a - I had come to the conclusion, I must confess I was prepared to accept what you just said. I was prepared to accept that the reason you do not need to define city and the definition is that there are other acts that define city. -

AN HON. MEMBER: That is right.

MR. L. STIRLING: -and therefore I was prepared to accept that until, and therefore I said, Well now, under the regional government, now obviously if they did not need the power they would not put it in, but under the regional government setup, where it says the cabinet, "The Lieutenant-Governor in Council may by order state the ancillary powers that may be exercised by a regional council - it goes on - without limiting the generality, may state the regional council may. It does not say excluding the City of St. John's and Corner Brook. Do it one way or the other; say exclud-

MR. L. STIPLING: ing the city of St. John's and Corner Brook and I will be happy. As I understand what it says here is acquire any of the fixed assets of the municipality and cities. Now I was prepared to accept what you said, there is no need to define city because city is defined and what we mean by regional government, if we set up a regional government in this urban area it is already defined elsewhere and when we say we can acquire any of the fixed assets in the municipalities and cities it means by another act, that means we can acquire the assets of the city of St. John's and the city of Corner Brook and if you do not need to do that, why do you not just take the reference out of there?

MR. MARSHALL: Now, if the hon. gentleman will permit, we are not trying to legislate underneath the carpet or anything, it was made quite plain -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: - never mind now, this was made quite plain in second reading by the minister, it was quite plain by everyone speaking over here, everybody representing the city of St. John's is well aware of it and they are all over on this side, everyone representing the other city, the city of Corner Brook, is affected, and they are all over on this side are all aware of it -

SOME HON. MEMBERS: Oh, oh.

MR. MARSHALL: The point is it was never intended to provide that there could not be regional government involving the city of St. John's or the city of Corner Brook.

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: It was never intended to preclude the operation of a regional government affecting these metropolitan areas.

MR. STIPLING: So you are now saying it does include them, this bill does include the city of St. John's and Corner Brook.

MR. MARSHALL: I am saying that this bill primarily and directly affects the municipalities and the town councils other than the cities of St. John's and the city of Corner Brook.

SOME HON. MEMBERS: Why do you not (inaudible)

MR. MARSHALL:

I am saying that these councils right now are governed by the City of St. John's Act and the City of Corner Brook Act. I am saying that there is nothing in this bill, when His Honour gives assent to this bill, there is absolutely nothing in this bill from the time His Honour gives assent which will immediately affect the city of St. John's and the city of Corner Brook, it will immediately affect other town councils around, but not these. But it is crystal clear in the act that the regional government may, if there - that we are not going to exclude the city of St. John's from the operation

MR. MARSHALL: of regional government if it is beneficial, or the city of Corner Brook or any other city. Now that is entirely consistent with what the minister says, and that is why Section 309 is there, and also there is no need, absolutely no need - and, you know, I do not want to express my opinion like the hon. member did, because, as I say, he is a reasonable man. They are all reasonable men on the other side and they can have views - but I say that this government is always ready and willing to accept reasonable suggestions in committees for alterations which will strengthen the bill, and it will continue to do so. But there is no need, in our opinion, to alter the definition to include cities in this thing. Now, we can talk about it until the cows come home, but that is, you know, until we hear something else that would give us - the reasons that have been given by the gentlemen on the other side who has spoken, with the greatest respect to all of them who have spoken, have not moved us to consider that it is necessary to do it. Now, you gentlemen over there may figure it is, but that is not -

AN HON. MEMBER: (Inaudible).

MR. MARSHALL: No, that is not the situation.

AN HON. MEMBER: (Inaudible).

MR. MARSHALL: Nonsense!

MR. STIPLING: Would the President of the Council (Mr. Marshall) agree to this? I asked the question in this House and if you will look at the wording of the question that I asked recently, it should not have provoked the President of the Council in the way that it did. But it got into calling it political football and that sort of thing.

I am beginning to learn that if legislation does not have everything set out in it, like penalties and things like that, it does not operate. Like, for example, the Public Tender Act, I am now told that the thing that upset somebody was that I referred to something like charges and that charges in a lawyer's opinion mean criminality and that under an act, if you really want to

MR. STIRLING: have a penalty like saying a minister who breaks the Public Tendering Act should be dismissed, you had better put that in the bill, because if you do not put that in the bill, then there is no means of getting something done about it.

Now, I am honestly trying to find out from the President of the Council (Mr. Marshall) - and let us agree that there will be times of political points and there will be times when we are honestly trying to do something on both sides of the House when we are trying to get through a piece of important legislation. The President of the Council has said, "If this bill passed in its present state, it will not affect the city of St. John's or the city of Corner Brook tomorrow." But so that it is in the proper context, would you not agree that on the day after tomorrow, if the Cabinet decided to, without coming back to the House of Assembly, if the Cabinet set up a regional council for the urban region under this authority of the act, that the city that is referred to could be the city of St. John's and they could acquire the assets as set out?

AN HON. MEMBER: Yes.

MR. STIRLING: No, I asked the President of the Council.

AN HON. MEMBER: The answer is yes.

MR. STIRLING: No, I asked the President of the Council.

AN HON. MEMBER: That is okay (inaudible).

MR. STIRLING: No, seriously, would you answer that? I mean, you said it could not happen tomorrow.

MR. MARSHALL: I tabled the remarks made by the hon. gentleman about the Public Tender Act. I think we had our little - that is irrelevant now and I do not want to get into irrelevancy, Mr. Chairman, but the hon. gentleman mentioned it. I think we had our little sortis and we can table that for the present.

MR. STIRLING: Okay, but you can see the basis under which I

MR. MARSHALL: We will leave that aside. We will not make our respective bloods boil.

MR. STIRLING: Okay.

MR. MARSHALL: Now, as this particular act now is -

MR. STIRLING: Right.

MR. MARSHALL: - it will not, when it is passed, affect the city of St. John's until such time as it is necessary for regional government.

MR. STIRLING: Yes, but your are not answering my question.

MR. MARSHALL: Now, as far as the Cabinet is concerned, these decisions will be made by government in accordance with the provisions in the bill itself, and there are very careful provisions. I mean, the city of St. John's is not going to wake up tomorrow and find that the Cabinet has passed an Order in Council saying that there is a regional government in St. John's, neither is the local improvement district of Wedgewood Park or the town of Mount Pearl.

MR. STIRLING: But could it not do it?

MR. MARSHALL: I suppose you could do anything.

I mean, the powers that have been conferred -

SOME NON. MEMBERS: Oh, oh!

MR. STIRLING: Why not bring it back to the House?

MR. MARSHALL: You know, there all sorts of powers granted to a Cabinet that the Cabinet can do in all sorts of acts; they are enabling powers, but the Cabinet is not going to exercise

MR. MARSHALL: them except, number one, within the framework of the act and, number two, most reasonably, after due consideration after consultation, not just with the City of St. John's, but with the City of Corner Brook, not just with the Town of Mount Pearl, but with, indeed, all citizens of the region itself before it is going to do it. That is the way. Now if that is not so, the government stands and falls on its decision. And certainly the best group of people to look after the interests of the City of St. John's surely must be the people on this side of the House or, for a matter of fact, any urban region because they have seen fit to impose total and entire, 100 per cent confidence in this government. Thank you.

MR. STIRLING: Thank you, Mr. Chairman. Let me ask the President of the Council (Mr. Marshall) - and he is quite right - that the government does represent all of the urban seats in the City of St. John's and the City of Corner Brook.

AN HON. MEMBER: And in Newfoundland.

MR. STIRLING: And in Newfoundland, I agree. All the urban -

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: Well, let us deal with the two cities, the City of Corner Brook and the City of St. John's.

AN HON. MEMBER: (Inaudible) on the appropriate act.

MR. STIRLING: But the President gave what appeared to be a very logical kind of an explanation. But when I asked him for the same kind of confirmation the Minister of Finance, who is an honourable man and a man of few words, the Minister of Finance said, Yes I agree. And he represents a city district. Yet, on the second day - you know the feeling that you have, the sense of feeling that now that you have been elected to represent the urban areas of St. John's and Corner Brook, that it really does not make any difference, we can just force through whatever we want, the people love us. One of the districts represented - a man by the name of Mayor Sam Connors, who is in that same urban area you are talking about, pursuant to your

MR. STIRLING: telegram which the minister has referred to, "I feel the authority should remain with the House of Assembly and not just the Cabinet as all members of the House are elected representatives of the people."

MR. MARSHALL: A point of order. Does the hon. member intend to table that?

MR. STIRLING: Oh all of it, definitely. Oh yes, definitely.

MR. MARSHALL: We would like to see the -

MR. STIRLING: Oh, sure, no question. Unless you figure I have made up -

MR. MARSHALL: No, no, no. I would not - on that point of order, Mr. Speaker, I would never, never insinuate that the hon. member or any member made up anything but it is just the rules of this House that when somebody, you know, quotes from a document it has to be tabled. So, you know, if the hon. member is quoting from a telegram it should repose here with the records of the House for posterity sake.

MR. STIRLING: I will do, right.

MR. THOMS: I am sure my learned friend, Mr. Chairman, would be only too happy to file the telegrams he has and, of course, if the President of the Council (Mr. Marshall) would like another thirteen or fourteen such telegrams he might easily obtain them from my district.

MR. MARSHALL: I would be very interested, very interested.

MR. MORGAN: (Inaudible) every council in the Province.

MR. STIRLING: Mr. Chairman, I am glad that the members have brought it up because I consider it the duty of the members of this side of the House that if the people on the other side of the House consider that they do not need to inform the members - I used to be a city councillor, I used to be a member of the Federation of Municipalities but I repeat, again, I have respect

MR. STIRLING: for the Minister of Municipal Affairs.

And if you are not going to do your job, if you are not going to do the job of informing your councils of what is being done, then by all means I consider it our responsibility to fill the vacuum left by you people who have not sent out the information. And I make no apology. As a matter of fact, I will do the same thing again on any other piece of legislation unless the minister agrees who set it out.

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: The same people who saved the hon. gentleman's press releases.

MR. STIRLING: The same people who are going to pay all the taxes in this Province.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN (Baird): Shall clause 2 carry?

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

MR. MORGAN: A waste of the taxpayers' money.

AN HON. MEMBER: Cheaper than one minister and better value.

MR. CHAIRMAN: The hon. the member for Bonavista North.

MR. STIRLING: Mr. Chairman, I think the thing that we have established at this point -

AN HON. MEMBER: He did what Walter Carter could not, he got Roger's seat.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: I think, Mr. Chairman, the thing that we have established at this point is that this Regional Government Act very definitely does apply to both the City of St. John's and the City of Corner Brook.

AN HON. MEMBER: Of course it does.

MR. STIRLING: And that although - and I think that the Minister of Municipal Affairs has been done an injustice by his colleagues because they have allowed him to say to the people of St. John's and the people of Corner Brook, 'Relax, do not worry about it, you are not affected by this act.' And they have now admitted -

AN HON. MEMBER: What clause are you on?

MR. STIRLING: - we no admit it under definitions, under definitions, we have now gotten agreement from the government that because this side of the House made the government recognize that you cannot slip a very important section of the act, like the Regional Government Act, in and slip in cities, not defined, but we have established, we now have agreement for a number of things. One is that regional government can apply on the day after this is proclaimed - the Minister of Finance agrees - on the day after this is proclaimed, if the Cabinet so desires, regional government can be brought in that will

MR. STIRLING: affect the City of St. John's and the City of Corner Brook. I have taken it that we have established that the minister will take it under advisement, whether or not he is actually going to define the cities.

On motion, clauses 2 through 9, carried.

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

MR. WINDSOR: I assume you have called clause 10, Mr. Chairman. Have you?

MR. CHAIRMAN: Shall clause 10, carry?

MR. WINDSOR: Mr. Chairman, on clause 10(2) my colleague the President of the Council, if he returns in time, will be proposing a slight amendment, basically, in clause 10, section 2. The word 'town' is struck out and the word 'municipality' replaced. Basically, all this does is change the word, puts in 'municipality' where the word 'town' was. It is quite simple and straightforward.

AN HON. MEMBER: Carry?

MR. CHAIRMAN: Shall clause 2 -

MR. ROBERTS: The minister cannot move his own amendment.

MR. WINDSOR: No, no. The House Leader is going to move the motion.

MR. MARSHALL: I thought I had whispered to the -

MR. ROBERTS: Oh, no, open government is open government.

MR. MARSHALL: Open government, Mr. Chairman, in order to make it official, I move the amendment of clause 2(2) by striking out -

AN HON. MEMBER: 10(2).

MR. MARSHALL: 10(2)- by striking out the word 'town' and the word 'municipality' replaces it so that section 10(2) would read; "where a notice of intent is to be published by the Minister under subsection (1) that directly affects a municipality, the Minister shall give a prior notification of his intent to so publish it to the council of that municipality."

MR. ROBERTS: Do you want to put the amendment?

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: I am prepared to have the amendment, but I cannot speak for anybody else.

On motion, amendment, carried.

MR. ROBERTS: In the unlikely event the government do something sensible, we are prepared to go along with it.

Could I come back to clause - we are still on that group, are we? one to one?

AN HON. MEMBER: One to nine.

MR. ROBERTS: One to nine.

MR. MARSHALL: We have passed that.

MR. ROBERTS: We did it? Well, I will raise it under section 16 then unless I am given leave to revert to section 4. It is all the same to me.

I will not ask questions about section 4, but, I mean, I can do it under section 16 because they are related, one to the other.

MR. MARSHALL: To show, Mr. Chairman - the hon. member was out of Committee a moment ago when I was speaking of how co-operative the government wished to be, and this is an example of how co-operative the government is. We are quite happy to revert to section 4.

MR. ROBERTS: Your Honour, I thank my learned friend. There is a very old saying, "Beware of Greeks bearing gifts", and I say, 'Beware of Marshalls bearing forces', you know.

SOME HON. MEMBERS:

Oh, oh!

MR. ROBERTS:

However, be that as it may, I am grateful to my hon. friend and I take his words in exactly the spirit in which they were proffered, Sir.

I just wanted to ask - Section 4 (2)

which relates to Section 16. I assure hon. gentlemen opposite, I think I have enough wit about me - at least halfway there, to -

MR. STAGG:

I am glad you realize that.

AN HON. MEMBER:

(Inaudible).

MR. ROBERTS:

Was I going to have to what?

AN HON. MEMBER:

Are you going to have to (inaudible).

MR. ROBERTS:

No, the hon. gentleman should not think he can anticipate, I am usually seven or eight steps ahead of him and three or four steps ahead of the more quick-witted members of the Cabinet -

SOME HON. MEMBERS:

Oh, oh!

MR. ROBERTS:

- and ten or twelve ahead of the gentleman from Bonavista South (Mr. Morgan).

SOME HON. MEMBERS:

Oh, oh;

MR. ROBERTS:

Your Honour is being whispered at for some reason. Does Your Honour want to do something? Go ahead, I will yield to Your Honour.

MR. CHAIRMAN: (Baird)

In accordance with Standing Order 31(K),

I rise so the Speaker may indicate the matters to be raised at the Late Show.

MR. SPEAKER: (Simms)

Order, please!

It is now 5:00 P.M. and I can inform the House that I have received notice of one matter for debate at 5:30 P.M., when a motion to adjourn will be deemed to be before the House. Notice is given by the hon. the member for Bonavista North (Mr. Stirling), arising out of a question asked the Minister of Labour and Manpower (Mr. Dinn) and the subject matter is unemployment insurance.

MR. CHAIRMAN: (Baird) The hon. the member for the Strait of Belle Isle.

MR. ROBERTS: Your Honour, I was speaking with reference to Section 4, and I would say to my hon. friend from Bonavista South (Mr. Morgan) that just so we have the facts for the record, he has lost thirty-three and one-third per cent of the contests in which he has engaged to date. My record is one out of eight, which is twelve and one-half per cent, which means that he is three times as bad as I am, and I think that is a pretty fair ratio. I would think that.

MR. STAGG: That is pretty bad.

MR. ROBERTS: Yes, that is pretty bad, I would say to my friend from Stephenville (Mr. Stagg). Anybody who is three times as bad as I am is pretty bad indeed, and that is not even getting close to my friend from Stephenville.

Now, to come back to Section 4.

MR. STAGG: I am three for three myself.

MR. ROBERTS: I am sorry?

MR. STAGG: I am three for three myself.

MR. ROBERTS: The hon. gentleman may be three for three, all he lacks is the courage to go when he knows he is going to lose and I predict he will not run again in three or four years when the Premier dissolves.

MR. STAGG: I am thinking about going down to the Strait of Belle Isle.

MR. ROBERTS: I hope that the hon. gentleman would come down to the Strait of Belle Isle and he would not come back. He would go down there but he would not come back.

AN HON. MEMBER: He is too smart for that.

MR. ROBERTS: What would happen to the hon. gentleman, Sir, would make what happened in D'arcy McGee look like just a warm-up game and there the Liberal got 97 per cent of the vote. And I would venture to say that any Liberal candidate running in the Strait of Belle Isle against the gentleman from Stephenville would get 99.99 per cent

MR. ROBERTS: and the other vote would be spoiled.
Now, Sir, as we were saying before
I was so rudely interrupted by the gentleman from Stephenville (Mr. Stagg),
who I would point out to Your Honour is out of order -

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: - as he frequently is. He is not in
his seat. We need a seat belt for the hon. gentleman.

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: Not even his party can keep him in his
seat.

Now, Sir, I say to the gentleman from
Stephenville, he ought to go back to the law and answer his letters.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: (Baird) Relevance.

MR. ROBERTS: Mr. Chairman, I am sorry. The Lord's
Prayer says, 'Lead us not into temptation,' and we need to advert to
that, Sir, because I am led into temptation. I am just led astray by
hon. gentlemen opposite.

Now, to come back to Section 4.

MR. BARRETT: Easily led.

MR. ROBERTS: I am sorry. My friend, the Minister of
Finance (Dr. J. Collins), was it? - or the gentleman from St. John's West
(Mr. Barrett)?

AN HON. MEMBER: The gentleman from St. John's West.

MR. ROBERTS: I see. The minister is not guilty.
Would the gentleman from St. John's West care to repeat that for the
benefit of us all.

AN HON. MEMBER: The Leader of the Opposition must be easily led.

MR. ROBERTS: I agree I am 'easily led' and if I were
easily duped, I would be where the hon. gentleman is, as opposed to where
I am.

MR. CHAIRMAN: Relevancy please.

MR. ROBERTS: I think that is quite relevant, Sir.
I think the hon. gentleman is very easily misled if he intends to vote

MR. ROBERTS: for this bill. I would say he should go back to studying his book and writing insurance contracts or whatever he was doing.

Section 4, which is where I began - and I want to thank the President of the Council (Mr. Marshall) for allowing me to come back to Section 4, which saves me raising it under Section 16. I want to know whether the minister intent is - it is a matter of implementation. Section 4 (1) says that an order made under Section 3 - and Section 3 is the general

MR. ROBERTS: power vested in the Cabinet on the recommendation of the minister and after a feasibility study to establish or to dis-establish. You know, it is the power - it is the real guts of the bill in that sense. Now, it is necessary in looking at Section 4 to go down to Section 16, which says and I believe it is in order to read it, Sir, "The elected or appointed status of existing town councils, rural district councils or boards of local improvement districts continue until changed by the Lieutenant-Governor in Council under Section 4" which, of course, as Your Honour will appreciate, brings us back to Section 4, which is where we began. And Section 4 (i) and 4 (ii) and 4 (iii) give certain power to the Lieutenant-Governor in Council. Now, what I simply want to know is how those two relate to one another or, specifically, perhaps this is the best way to put it, is it the minister's intention - and remember this act does not come into force division by division, it comes in like a ton of bricks, you know, on the day when it comes in. The whole thing comes in at once, holus-bolus - is it his intention to make orders confirming the 109 councils we have - and he is nodding acquiescence - the only trouble with that is it is twofold. Number one, I may not have understood him, and secondly a nod, while it may be as good as a wink, does not appear in Hansard. So, I invite the minister to get to his feet and tell if my understanding is correct. You know, is he going to make an order under Section 3 simply confirming the status of every existing municipality in Newfoundland as of the date of proclamation of this act.

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

MR. WINDSOR: Well, Mr. Chairman, I will do as the hon. member did and start in Section 16, if I may, which refers to local improvement districts, which as hon. gentleman know will not really exist -

MR. ROBERTS: Yes, they will be communities, service areas and -

MR. WINDSOR: - they will be community councils, or local service districts and (inaudible).

All this is doing here is that in the interim period, this will not happen overnight, and it will be phased

MR. WINDSOR: in as applicable. We cannot hold elections right away, we may hold off until the next municipal elections in some cases, which is 1981 I think. But the intent is to move rather quickly, but that has to be done on an individual basis. So these clauses, basically there for that transition so that we can take a local improvement district, as referred to in Section 15, and change it under Section 4, where we can then designate it to have an elected status.

MR. CHAIRMAN: (Baird) The hon. member for the Strait of Belle Isle.

MR. ROBERTS: I thank the minister and I just want it to be clear. I mean, what he says seems to be very sensible and reasonable, that every existing council will continue in force until such time as it is changed, and over a period of time they will all be confirmed. Some may be confirmed in a new form. Having disposed of that, can I go on and ask as a citizen of the municipality of the Local Improvement District of Hogan's Pond, what is the intention or is there one at this stage with respect to what is a very small municipality but a very vibrant and effective force within the world of municipal government.

AN HON. MEMBER: Vibrant and (inaudible).

MR. WINDSOR: Yes, I might point out, as my colleague next to me indicates, that they are certainly a very economically viable one. They had zero revenue, zero expenditure and zero budgetting.

MR. ROBERTS: But a great zoning control.

MR. WINDSOR: But the question as it relates to Hogan's Pond, it may very well become, automatically, it would seem, to become a town council. That may not be desirable for it to be a full-fledged town and have all the responsibilities and authorities vested in a town. I think it may be more desirable to designate it as a local service district, which does not have all of that responsibility and the election procedures and that sort of thing. It will be addressed again after a full consultation with the committee there.

MR. CHAIRMAN: (Baird) The hon. member for the Strait of Belle Isle.

MR. ROBERTS: Well, I can appreciate that the status of the Local Improvement District of Hogan's Pond is hardly the top of the minister's concerns, nor should it be, and it is not the top of my concerns, nor should it be, but it is a concern. I think the minister may have dealt with it. I simply want to say, obviously, whatever will be done, we assume will be done in consultation with the council there. There is some suggestion it should be incorporated into the contiguous town of St. Phillip's, and I do not think I would object to that as a citizen of Hogan's Pond. Some of my fellow citizens may, some may not, I do not know.

AN HON. MEMBER: What is the population there now?

MR. ROBERTS: I think it is 110, 110, and the 110, are no better and no worse than anywhere else, they include John Crosbie who lives at the rich people's end and myself who lives at the poor people's end, and there are a number of good people in between. Hogan's Pond was set up originally - and, you know, it is an anomaly and it may well be desirable to do something in due course - it was set up originally to prevent -

MR. WINDSOR: Development control.

MR. ROBERTS: Yes, it was development control and it was the only device we could find, and it had an unusual paternity. I believe it was incorporated while I was a member of the Cabinet, and it was re-incorporated while Mr. Crosbie was a member of the Cabinet, and I do not think either of us declared in our Conflict of Interest statements that we lived at Hogan's Pond. Mr. Crosbie has only a summer residence there.

DR. COLLINS: It is not a tax haven.

MR. ROBERTS: No, it is not a tax haven, but as the minister says, it is a very good municipality financially. It renders no services, and it levies no taxes, but it does have, I believe, an adequate set of development controls, and indeed is a very litigious community. I believe they have been in the courts a number of times enforcing their by-laws, I think, and I think with success. Mr. David Day, eminent council - who also has a house on Hogan's Pond - has represented them in Her Majesty's Courts with results favourable to the cause he was advocating. Obviously the matter goes beyond this because there are - It is necessary to continue councils, I do not need to go into that. In the case of place like Hogan's Pond, I just wanted assurance that nothing will be done without at least consulting the citizens there. My fear, quite simply, is that there are some people - not the council of St. Phillips I hasten to add - who think that the trick is to incorporate an area like Hogan's Pond, to levy a wacking great property tax and provide no services, because the people of Hogan's Pond would be no better off should they be incorporated into a municipality than they are today. They might be much worse off if they were faced with \$500 or a \$1000 tax bill. That problem is not unique to Hogan's Pond. In the long run we all have to pay whatever the fair shot is as part of the society in which we live. I just want to be sure it will not be done without consultation.

MR. WINDSOR: Mr. Chairman, perhaps I can just clarify a couple of points for the hon. gentleman. His question is well taken by the way. The worst that could happen without consultation is that we might make it a town instead of a local improvement district, which would have the owners (inaudible) of allowing them to elect their council and to decide if they want to tax themselves or provide any service and that sort of thing. I do not think that is any burden or anything unusual. If it were to be changed to become part of St. Phillips or anywhere else, then that would have to be done on the basis of a feasibility study which includes mandatory public hearings.

On motion, Clause 4 carried.

MR. CHAIRMAN:

Shall Clause 11 to 20 carry?

The hon. member for Grand Bark.

MR. THOMS:

I would like to ask the minister -

I would like for him to give me the rationale. 18 (2), for example, I notice says "where a clause is an elected one it may, by resolution carried by two-thirds vote of the councillors in office." Now, throughout the act there are many, many, many decisions that can only be taken by a two-thirds vote of the councillors. To me this seems to go against the normal procedure, the normal way of doing it which is a simple majority. We can defeat the government on this house if we happen to find less members over there by one than is over here. The government of this Province can be defeated, the government of Canada can be defeated by a simple majority. This whole act, when further over we talk about suspensions, there is literally dozens of references in this act where it seems to me that we really do not trust the councils to make the right decisions, and that we are forcing on to them the two-thirds rule. There is just a very simple question - I would like to ask the Minister if he could explain to me what the rationale is behind having so many things in this act governed by a two-thirds vote.

MR. WINDSOR:

Mr. Chairman, basically where the two-thirds vote is required would be on major decisions of councils where we feel that there really should be a fairly good consensus rather than just a simple majority, although I tend to agree somewhat with what the hon. gentleman said as it relates to other elections and various things by simple majorities. This is just an attempt on our part to insure that where council does agree to do a certain thing, particularly where they are saying let us change our whole election procedure, let us have a mayor elected separately. We are reasonably sure that there is a fair consensus, that the council is representing a fair consensus of the community, that sort of thing.

MR. D. HOLLETT: On a point of clarification, Mr. Minister, two-thirds majority, that refers to a full council - seven. What happens then if there is only five on a council by resignation or death? On a major decision of council would they have to wait until the council is brought up to seven or would it be two-thirds of five?

MR. WINDSOR: If there are only five members still sitting on council then that is obviously the council, so it is two-thirds of five.

MR. D. HOLLETT: Well I did not know - the definition is not clear.

MR. WINDSOR: Unless it became less than a quorum, in which case they would have to have the approval of the minister to carry on as if they had a quorum, and the number sitting presently then would constitute the council. It may be a council of five members, it may be a council of nine members.

MR. N. WINDSOR: members or anywhere in between.

MR. L. THOMS: But this particular section does say councillors in office.

MR. N. WINDSOR: Councillors in office at that time. Yes.

On motion, Clauses 11 to 20 carried.

MR. CHAIRMAN:(Mr. Baird) Shall Clauses 21 to 30 carry?

MR. L. THOMS: Mr. Chairman.

MR. CHAIRMAN: The hon. member for Grand Bank.

MR. L. THOMS: Mr. Chairman, I would like to go back to Section 21 of this act and I brought it up when I spoke originally on this bill. The minister, as well, referred to this in reply to comments that I had made but I am not satisfied with what the minister had to say, basically, in that I do not think he answered the question. This particular section says, "That where a vacancy occurs in the office of mayor whether elected by separate election or by council, the deputy mayor is to assume the office of mayor for the remainder of the mayor's term and has all the powers and shall exercise the duties of the mayor". My question at the time to the minister was, you know, what happens if at the time that the mayor resigns the deputy mayor says - he refuses to accept the responsibilities of mayor? Where do you go from there? Do you then skip over the deputy mayor and appoint a councillor to office for what could be three years of a four year - it is every four years is it not that councils are elected? - three years, skip over the deputy mayor and appoint a councillor to the top post or does this section make it mandatory that a deputy mayor accept the position of mayor? If he does not accept the position of mayor can the minister then remove the deputy mayor from office because this does not say the deputy mayor may assume the office, it says, "The deputy mayor shall assume the office". Now, what happens in a case like that? And if the deputy mayor then refuses, can the councillor or minister or whoever, under this particular act, you know, really turf the deputy mayor off the council?

I am still not clear what happens in the event the deputy mayor says, No boy, I am not accepting the

MR. L. THOMS: duties of mayor. Maybe he wants to run in the next provincial election, he knows how unpopular it is to be mayor.

MR. N. WINDSOR: Mr. Chairman, the intent of this particular section, I think - in order to clarify it, refer to Section 23 which defines, "In the absence or incapacity of the mayor the deputy mayor has the duties and then shall exercise the powers of the mayor". What we are saying here simply is that if a person accepts the responsibility of deputy mayor he shall also accept the responsibility that if the mayor resigns or dies or whatever, for any reason vacates office, then he has to accept responsibility of assuming that office, that is all, which provides a continuity.

Now, the question that the hon. gentleman raised; if the deputy mayor for some reason does not and because he may at the time he becomes deputy mayor say, yes, I would be prepared to take it but two years down the road his personal circumstances, for instance, might change, obviously then, the council would have the right to elect from other councillors. If it is technicalities the hon. gentleman is concerned about, he could resign as deputy mayor, since there is no deputy mayor there then could be an election of a mayor then the gentleman could be a re-elected deputy mayor if he chose to still be deputy mayor, if you want to get around it that way. But the intent is that the deputy mayor automatically becomes the mayor so that he knows when he becomes deputy mayor that he is accepting that responsibility and that all through his term of office he acts and keeps himself informed as if, in the future, he just may be the mayor.

MR. G. WARREN: Mr. Chairman.

MR. CHAIRMAN: (Mr. Baird) The hon. member for Torngat Mountains.

MR. G. WARREN: Yes, further on this subject, Mr. Chairman, in most municipalities usually the mayor and the deputy mayor are selected by the seven councillors. Now, seven councillors select the mayor by a secret vote and select the deputy mayor by

MR. G. WARREN: secret vote. Now, they selected him for deputy mayor by a secret vote, they did not select him by a secret vote to be mayor. If the mayor resigns you are not giving the council the option of having some other councillor for mayor.

MR. N. WINDSOR: Mr. Chairman.

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

MR. N. WINDSOR: What I am saying to the hon. gentleman, Mr. Chairman - to respond, what we are saying is that when

MR. WINDSOR: council elects a person as deputy mayor, they are also electing him as mayor in the event that the person they elect as mayor leaves or resigns for any reason or whatever. So, they know that, when they elect him as deputy mayor, they know they are also possibly electing him as mayor, and hopefully that they will accept that responsibility when they have that election.

On motion, clauses 30 through to 50, carried.

MR. CHAIRMAN: (Baird) Shall clauses 51 through to 60 carry?

MR. ROBERTS: I want to raise a point, Your Honour, and I can raise it, I think, under any one of 3000 sections, so let me raise it under whatever one we are currently on, which is 51 to 60. Okay? It has to do with the tenure of officials - that is good enough for relevancy. It equally has to do with tenure of Cabinet - I am sorry, not of Cabinet, of councillors, and it grows out of, I think - whatever it is called - the Department of Municipal Affairs Act, to which the minister or you referred. It is what I call the 'Wilf Drover amendment', because it was a clear case of the government of the day, which is not the present administration - I am not sure whether the hon. gentleman opposite was then in the Cabinet, the minister was a member of the Cabinet or not at that stage. He shakes his head to indicate he was not. It was really brought about by, I believe, the responsibility of a then minister, now senator, Mr. William Doody, an estimable gentleman, but like many estimable gentleman with the odd failing, and it came about - it was a case of this House being made to legislate in respect of one particular incident, and I think it was a very unfair thing and I said so at the time. I am not particularly concerned to bring up the name of the individual, because what is done is done, but the provision is this, that the Cabinet may dismiss a member of a council for cause. Now, I could find fault with that. If possibly we should adopt a principle that Cabinet cannot, that only a court or a neutral, you know, an impartial body could do it, but that would be a very great departure from what has been the practice over the years. I do not know of many

MR. ROBERTS: cases where a councillor or a council has been dismissed. There may have been several, but I cannot recall very many, and I think it is fair to say that where there have been some there is a case to act upon. It is a power which has not been used, that I am aware of, unwisely, and so I do not really quarrel with the minister or the Cabinet - I am not sure where the power is vested but -

AN HON. MEMBER: Cabinet.

MR. ROBERTS: - Cabinet - for all practical purposes they are the same. I mean, a Cabinet will act almost inevitably upon a recommendation of the minister in a matter of this sort, almost inevitably will not act against his recommendation. I mean -

MR. WINDSOR: Not necessarily.

MR. ROBERTS: Well, the minister says, "Not necessarily", but, you know, if the minister is as good as I think he is, which is half as good as he thinks he is, then he will have his way on a matter of Cabinet involving his own department. I mean, I do not think the minister would make a recommendation that would not be acceptable to his colleagues, but, however, that is neither here nor there, we will never know that.

What concerns me is the fact that if the Cabinet dismisses a person from municipal office and then, subsequently, there is a by-election ordered and the people, the citizens, of that constituency, be it a town council or whatever it is - it is not a constituency in the sense of a district under the House of Assembly Act - that, you now, they are asked to elect a new member, and the individual who has been dismissed is prohibited from running. Now I think that is a most offensive piece of legislation, and I have been looking for an opportunity - I say to you quite candidly, Mr. Chairman - to raise it, and I do not intend to debate at any great length. I will say what I have to say, and then, perhaps, the minister will wish to speak, maybe one or two other members. You know, it is a matter that I think ought to be aired. I think it is most offensive because it goes against the very principle of democracy. Well, let us take a legislature,

MR. ROBERTS:

and there are cases in Canada. There was one recently in British Columbia where a member of the Legislature was convicted of a, a former minister, he was thrown out of the Cabinet, dismissed by the Premier quite publicly, convicted of an offense and I believe the conviction is under appeal. In British Columbia it was. I believe the conviction is under appeal. So I know nothing in any event of the merits of the matter and I could not discuss it even if I did. If it is under appeal it is under the sub judice rule. But, you know, he was convicted. That much is a fact, a matter of record and I believe the matter is under appeal under the relevant law. And that is fair enough. That will be resolved in whatever way it is resolved. But now that gentleman exercised his rights and he ran again in the general election. He was a candidate in the general election held subsequently in British Columbia and he was re-elected. Now, that to me is the way things ought to work. Now, when I say not ought to work in the sense of being re-elected, that is up to the constituents, but he ought to have been able to offer himself. And there are hundreds of other precedents. I referred to, the other day, to two of the most famous ones, Mr Rothschild who would not take the oath required of a Christian to be a member of the House of Assembly. And, you know, it may seem to be another world and maybe it was. It was less than a century ago. If memory serves me correctly when to take a seat in the House of Commons you had to swear an oath that you were a Christian or I am sorry, you had to take an oath that only a Christian could take. And Mr. Rothschild was, his family are well known adherents of the Jewish faith. And he was elected from a constituency, I believe, in the City of London but somewhere in England, it does not matter where, elected and he refused to take the oath and there were thundering great debates in the House of Commons and he was refused his seat and he was re-elected again and he was refused his seat and he was re-elected again and he was refused his seat and finally the House of Commons saw

MR. ROBERTS:

light and allowed a member, I believe, to affirm, I mean as we can in this House. I do not know if we have ever had any member in this House affirm but in this Province at any time an individual is required to take an oath - and our oath inevitably says, So help me God - if any person finds that offensive on religious principles he may simply make solemn affirmation, and that has exactly the same effect in law as does an oath. And I think learned gentlemen in the House would concur that on this point at least, my knowledge of the law is relatively sound.

There was the equally famous case of John Wilkes who was elected three or four times and finally the House of Commons gave way to him. There are many precedents. You know until 1832 was it, - you could not be a member of the House of Commons in England, you could not hold public office in England unless you took an oath against the Roman Catholic Church, the infamous Test Act so-called. So, you know, the principle goes back a long way. And I find it very offensive that Cabinet can dismiss a man and without going to a court, without any opportunity on his part to defend himself or even to make answer, that man or that woman can be denied the opportunity to go again to his electorate and to seek vindication or otherwise. I think that is terribly, terribly wrong. And I raise the point simply to ask the minister whether the government - well, first of all whether he could make any statement as to whether the government's position has changed. It was a Tory Government but it was a previous administration led by Mr. Moores as the Premier and, of course, Mr. Moores, as is well known, is no longer the Premier. Whether the present administration feels a little differently - because I think it is a point that is there, it is in the Statutes. If tomorrow the minister dismisses, I do not know, the Mayor of Corner Brook to take a name out of the air or the Mayor of St. John's and then a by-election is created to fill the resulting vacancy, as I understand it, neither of the occupants of that position having been dismissed can submit himself/herself for

MR. ROBERTS:

re-election. I think that is terribly unfair. I think the basic principle of a democratic system is you answer to your electorate. Of course I think the minister would concur because the other day, if I understand correctly, the response which he made to the petition presented by all those people in Corner Brook and to the gentleman for Humber West (Mr. Baird), presented here in the House -

MR. THOMAS:

Ably presented.

MR. ROBERTS:

Yes, it was ably presented. The minister's answer was twofold. Number one, whatever the council have done appears to be within the powers which they had and, number two, if the citizens of Corner Brook do not approve of the way the council are using the powers granted to them then the remedy lies in the ballot box.

MR. ROBERTS: I think that is the answer the minister ought to have made. I think I indicated that in the House at the time and I certainly say so now. And I think equally - well, it is 3:30 P.M. - perhaps -

AN HON. MEMBER (Inaudible) permit you.

MR. ROBERTS: Yes, I was going to say, perhaps Mr. Chairman, we can agree to sort of - we only have one Late Show question and we are going to knock off early tonight anyway with no diminution in wages. Anyway, the minister could have whatever time he might need to answer this if His Honour, the Speaker, could wait five or ten minutes before taking the Chair. I assume that is agreed.

SOME HON. MEMBERS: Agreed.

MR. N. WINDSOR: Mr. Chairman, I will just take a moment. Basically, what the hon. gentleman said is that the electorate, obviously, should have the final power, and I agree, and this is precisely why the decision I made as related to Corner Brook last week. And the reason why I made that decision is that the council had acted entirely within their authority. The decisions that they had made, although some persons might disagree with them - some persons may disagree with decisions that government makes, but that does not mean that government is acting outside of their authority as vested in them by the House of Assembly. And in this particular case, the council had acted, as I could see it, in accordance with the authority vested in them by the House of Assembly through the City of Corner Brook Act. So I found no reason to take any action other than I did. However, I would point out that in a case where they do act outside the authority vested in them by the act, you know, I think government must have the right to take appropriate action. And that is precisely what I said. And it may well be that the people of the city of Corner Brook, to use an example - and I hate to use examples - the people of the community, if they were allowed to run immediately, would choose to elect them back, simply because by acting outside the authority in the act, they may have done exactly what the people of the community might have wanted. It may have provided services they did not have the authority to provide, may have used funding

MR. N. WINDSOR: that was appropriated to them - capital funding for provision of one kind of service - may have used that funding for provision of another kind of service. So I think it is entirely reasonable that in that particular case when government finds that the action is serious enough - and as the hon. gentleman pointed out, and quite correctly pointed out - that the decision is not taken lightly, that there would be great consideration by Cabinet. It is not something that is done on the spur of the moment, not done by a minister, it is done by the Cabinet as a whole. It is a decision of government to dismiss a council, and it is a very serious decision, remembering that many of these communities are very small communities and if an individual is dismissed in a community of 100 or 200 people, that is a fairly serious thing to happen to him within his society, within his community. So government would not do it lightly. And if the situation were serious enough to warrant it, then I think it is entirely reasonable to expect that there should be a cooling off period of two years before that person could run again for elected office.

MR. MARSHALL: I move that the Committee rise.

MR. ROBERTS: And report considerable progress.

On motion that the Committee rise, report progress and ask leave to sit again,

Mr. Speaker returned to the Chair.

MR. SPEAKER: (Simms) The hon. the member for Humber West.

MR. CHAIRMAN: (Baird) Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report progress and ask leave to sit again.

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

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

A matter for debate raised by the hon. the member for Bonavista North (Mr. Stirling) is unemployment insurance.

The hon. the member for Bonavista North.

MR. STIRLING:

Thank you very much, Mr. Speaker.

I am availing of this opportunity because since the matter was first raised by me on behalf of my colleague, the member for Terra Nova (Mr. Lush) and my colleague, the member for Fogo (Mr. Tulk) - in that same discussion when it was brought up, the Minister of Lands and Forests (Mr. Morgan) indicated that the problem also exists in Bonavista South. There has been a considerable amount of publicity on it since and it is a very serious problem. I would like to review for members of the House the districts that have not yet been hit by this problem. The problem, Mr. Speaker, is that in many rural areas of Newfoundland a practice has developed which is a reasonable and practical arrangement.

A member

MR. L. STIRLING: of a small community wished to build a house and he went to one of the two building supply dealers in the area and said, "Will you finance and look after the building supplies"? And he said, "Yes". There are no contractors in the area and he said, "Who is available to build a house"? And the building supply dealer says, "Well, look, Max Green is just about finished, the church, I think I can get him to build a house, you know, in a week or two get started on it". So the individual wishing to have his house built says, "Well, look, will you arrange all the paper work and handle everything like and when it is all fixed up I will arrange with the bank for the mortgage and that kind of thing". The building supply dealer said, "Sure". And the building supply dealer took on his payroll and paid an hourly rate to a carpenter who was, in essence, a foreman carpenter. He was a carpenter and the individual involved was known to the building supply dealer, he was known to the individual for whom he was going to build the house as a competent individual. And this practice was widespread and most of the recent housing in the last five or six years throughout my district and I now believe through many other districts, and I have heard from places like St. Anthony as well, this is the way housing was built.

Now, what has happened since is that either National Revenue or Unemployment Insurance, and I am not sure which, either of those two, and they have had two representatives on being interviewed and they said that after allowing this practice to go on for three years, in some cases more, they decided there was some technicality. Now, in one of the cases, as of June of this year, they have decided that the practice is acceptable. The carpenter is not doing anything now that he did not do before, the carpenter was paid an hourly rate. What they have said it is now acceptable. And I could not believe it the other night when I heard on television a representative of the federal, I think it was Unemployment Insurance it may have been National Revenue, I could not believe it, that he

MR. L. STIRLING: said the thing that now made it acceptable is that the building supply dealer was going to make a profit and that now made it acceptable. Unbelievable that here was a practice where a building supply dealer said, "Look, I am prepared to make my profit on the building supplies, I am going to hire a carpenter and let him go work on your house and I will do it at cost". And the carpenter paid his share of the unemployment insurance and the building supply dealer paid the employer's share and then settled up the whole thing.

It is unbelievable, Mr. Speaker, that this has happened in Newfoundland. And that is why I asked the minister on October 19th if he would intercede with his colleague the federal minister because I understand this government was elected - it was amusing a few minutes ago, talking about the basis under which people can get elected by making promises that they have no intention to keep. This government was elected on the basis that they could work very well with the government in Ottawa. Now, on October 19th I wrote the federal minister and I wrote Mr. Dinn and asked him to intercede because there is no doubt, I accept it at face value, that the minister and his influence certainly has a lot more influence on the federal government than I would or anybody on this side.

Only one minute left, can I continue by leave?

SOME HON. MEMBERS: Agreed.

MR. L. STIRLING: And what has since developed is that the federal minister has not even replied to his telegram. And this is just not acceptable, it concerns this whole House of Assembly, our whole way of life here in Newfoundland that a federal - and I am not sure it happened except by accident - that they are interfering with an essential part of life in a Newfoundland community.

SOME HON. MEMBERS: Hear, hear.

MR. L. STIRLING: And what this government said in its Throne speech, they want to preserve our way of life and our quality of life and I do not think it is enough for the minister just to say, "Well, I contacted the federal minister", I think it has reached the point where this House either should provide funds for this - I know now of seven or eight people who are involved and they are people involved just before Christmas, they did set up an appeal. The appeal was supposed to be heard on Monday for two of the individuals involved -

AN HON. MEMBER: (Inaudible)

MR. L. STIRLING: No, in Gander. The appeal was supposed to be heard in Gander on Monday

MR. STIRLING: and it was just cancelled. The federal government just got in touch with them, cancelled the appeal.

MR. MORGAN: Any reason why -

MR. STIRLING: No reason - the arrogance of the federal government to just say to these poor carpenters who were getting ready - they do not know what - I mean, for carpenters - and the member for Bonavista South (Mr. Morgan), I am sure, has got the same kind of people. They have never been in court. They have never been in trouble. They have never done anything wrong, and if these people, first of all to get an official letter from government saying, "You owe this amount of money and you have to pay it back. Send us a cheque or we will take it out of the Unemployment Insurance". They have been sitting, waiting for this appeal - no money to do the appeal - they have been waiting for this appeal.

MR. SPEAKER: (Simms) Order, please! The hon. member's time has expired. I am not sure if there was leave -

MR. STIRLING: By leave?

MR. MORGAN: Give it to him by leave. Yes. By leave

let him carry on. It is a shame.

SOME HON. MEMBERS: No No.

MR. SPEAKER: Order, please! I understand leave has not been granted.

The hon. minister of Labour and Manpower.

MR. DINN: Mr. Speaker, when the hon. member wrote me a letter signed on behalf of himself and the hon. member for Terra Nova (Mr. Lush) and the hon. member for Fogo (Mr. Tulk), at the time there was some movement with respect to the Department of Labour and Manpower in that we were moving from one building to another, from several different locations in the city to the Beothuck Building, and as a result of that there was some delay in my office with respect to acting on behalf of the hon. member and other hon. members who had and have since notified me about the situation described very adequately by the hon. member for Bonavista North (Mr. Stirling). The

MR. DINN: fact of the matter is that the federal government - and the hon. member made the inference that all hon. members on this side got elected because they could co-operate and co-ordinate and get things done with the federal government. Of course, I believe that but I do not think that I got 4,600 votes in Pleasantville strictly on the basis of the fact that I could -

AN HON. MEMBER: 4,540.

MR. DINN: 4,540, I have been corrected. He has not seen the -

AN HON. MEMBER: Seen the advance polls.

MR. DINN: - the advance polls. So, I do not think that I actually got elected on the basis of the co-operation that this government could have with the federal government, although that may have had an impact. Certainly since we did get elected, there has been quite a bit of consultation, consultation, I might add, with respect to my department on just about every aspect of the arrangements to be made with the federal government and the provincial government to look at the overall employment and unemployment insurance programmes. Mr. Speaker, I have one small little book there that covers ten basic areas that we are co-ordinating on with the federal government. With respect to the specific problems, there are things that have to be done. The federal government, for example, did not bring in the regulations that Revenue Canada is operating under now that penalize the gentleman down in Bonavista North. They did not bring in those regulations. They were brought in previously, and one would think that if they were brought in previously, they were brought in by somebody else, some other administration. One does not have to think very long as to who brought in those regulations and who brought in the regulations and what regulations need to be changed. Now, there are many changes contemplated with respect to unemployment insurance, and we are going through in great detail - I believe there was a study done in 1974. Many of the recommendations of that study, which would have been detrimental to Newfoundland, have since, May and June, been thrown out by the federal government and have been thrown out because of consultation. Now, there are many other things that are still going to be discussed and will be

MR. DINN: discussed, and that is ongoing.

On December 10th, 11th and 12th the Deputy Minister of Labour and Manpower, my Deputy Minister, will be in Ottawa consulting. In January, I believe, the federal Minister of Finance, the federal Minister of Welfare -

AN HON. MEMBER: Social Services.

MR. DINN: - not Social Services - will be down here consulting

MR. DINN:

with this government and going through the various aspects of unemployment insurance and making sure that this Province benefits when there are changes. So, Mr. Speaker, I would not go along with the hon. member's contention that the members on this side got elected solely on the basis that we could co-operate and co-ordinate and consult with the federal government. That is true. The people obviously recognized that and made their decision in May. With respect to this specific problem I wrote, I sent a telegram to the federal minister, I have an acknowledgement of the receipt of that telegram. He obviously cannot change regulations, and that is what the people in Revenue Canada are operating on, overnight, but he is looking into it. I would think that the possibility exists that the appeals that were cancelled were on the basis of representations made on behalf of the constituents of the hon. member and the hon. member for Fogo (Mr. Tulk), the hon. member for Banavista North (Mr. Stirling) and so on and they are considering them very carefully before they go to an appeal procedure where they have regulations that would, if lived to by the letter, require the people to pay back up to \$12,000 in one instance as the hon. member pointed out. So they are going through that. I would hope that we would get a favourable reply and am fairly confident that we will get a favourable reply. And when we do I will certainly, Mr. Speaker, notify the hon. members opposite either through the House of Assembly or through personal contact with them.

SOME HON. MEMBERS:

Oh, oh!

On motion the House at its rising
stands adjourned until tomorrow, Friday, at 10:00 A.M.