

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
10:00 a.m. - 1:00 p.m.  
FRIDAY, MAY 28, 1981

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

STATEMENTS BY MINISTERS

MR. SPEAKER: The hon. the President of the Council.

MR. W. MARSHALL: Mr. Speaker, I am pleased to advise the House that the Coastal Labrador DREE subsidiary agreement was signed this morning.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order, please!  
The hon. President of the Council.

MR. W. MARSHALL: Mr. Speaker, the agreement was signed by the Government of Newfoundland. The Government of Canada was represented by the Hon. William Rompkey, Minister of National Revenue.

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: It took place, Mr. Speaker, in the Cabinet room downstairs. And I have to report that a spirit of sweet co-operation permeated the whole proceedings.

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: Now, Mr. Speaker, while this subsidiary agreement has taken a long time in coming, I am sure it will be of benefit to the people of coastal Labrador, the people who have long suffered with far less than an adequate level of services. This agreement, cost shared between both orders of governments, provides for a total of \$39 million over a six year period. By way of breakdown \$16,000,500 will be

MR. W. MARSHALL: spent on road construction on the Labrador coast. By way of just a slight elaboration of that, I could point out that originally it was proposed to the government that less than a ninety/ten ratio be used for the purpose of constructing the road. The Province could not afford this but the Province had the coastal Labrador road, that Straits road, as a highest priority of this Province so consequently it was forced -

SOME HON. MEMBERS: Oh, oh!

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

MR. W. MARSHALL: Consequently, Mr. Speaker, we were constrained -

SOME HON. MEMBERS: Oh, oh!

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

Hon. members to my right will have an opportunity to respond to the Ministerial Statement. It might be more appropriate to do it then.

MR. W. MARSHALL: Consequently, Mr. Speaker, we had to exercise certain other of our ambitions which we have just merely postponed

MR. MARSHALL: for the Labrador area, but the people of Labrador can rest assured that we will be looking after their interests and we will be pressing further for the inclusion of those elements we otherwise had to take out. So that \$16,000,500 would be spent on the road, \$14,900,000 will be spent on community services such as water and sewer and other worthwhile community projects, and \$3 million will be spent on improving health services and enhancement of community leadership. A further \$3,740,000 will be spent on studies, pilot projects and programme evaluation, while some \$856,000 has been set aside for administrative purposes.

As I indicated earlier, Mr. Speaker, and I indicated downstairs, these monies are sorely needed and are very, very welcome by government. However, at this point, having said that, we must indicate that the Government of Newfoundland is deeply concerned about certain aspects of what has happened here. And I would wish to make the following points and I will make them briefly and succinctly.

Number one, the overall size of the agreement is considerably lower than the approximately -

MR. HISCOCK: The wish list.

MR. MARSHALL: Well, 'the wish list' says the hon. member. I would hope he would join in the wishes because they are the wishes of his constituents.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: The overall size of the agreement, Mr. Speaker, is considerably less than the approximately \$100 million that had been originally envisaged. Now this \$100 million was arrived at, Mr. Speaker, by the Province putting forth the proposals and going to Labrador and hearings were held and it was passed on by the Labrador Resources Advisory Council in Labrador, and the \$100 million was the bare minimum that it was pared down and obviously \$37 million is considerably less than that. So that is the first item of real concern.

MR. MARSHALL: The second, Mr. Speaker, is the higher level of funding has been arrived at after public meetings, as I indicated, with citizens of Coastal Labrador and it reflected their needs and priorities.

Number three, we are very puzzled and concerned, Mr. Speaker, by the federal decision to remove the fisheries component from the original submission. Putting this component 100 per cent - now what happened here, by way of explanation, the \$100 million was cut down to some \$57 million, in that \$55 million - \$57 million area, and included in that was a fisheries component of some \$15 million. When the final agreement was signed unfortunately that \$15 million has been excised or cut out, because what they are going to do, they are going to put this 100 per cent in the hands of federal fisheries. We do not know the details, we are assured that there is going to be consultation, but, I mean, it is a matter of grave concern because it is contrary to the principles on which the Nation and the Province are supposed to operate.

Another concern is, by doing this, Mr. Speaker, what the federal government in effect is doing, is

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MR. MARSHALL: rejecting our ten per cent of funding for fisheries of about \$1.5 million. So in other words they are taking out \$13.15 million, they are not putting in it, We would have put in ten per cent to make up the \$15 million, so they are rejecting \$1,500,000 for the people of the coast of Labrador and the member for Eagle River (Mr. Hiscock) should be very concerned about that.

We are also concerned, Mr. Speaker, that the highways funding in this agreement will not complete the Straits road. Now, you know, it was more or less indicated downstairs, in the course of questioning the impression was given that it would complete bit it will definitely not complete the Straits road. The provincial government is ready today, Mr. Speaker, and it will be ready tomorrow, to sign an agreement for the remaining \$10 million required to complete this project. And I want to make that quite clear, that that Straits road is a top priority of this government. We could only get the smaller amount and we are ready today to sign for the \$10 million for the extra amounts on the Straits road.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: We are also, Mr. Speaker, extremely concerned with the steadily falling level of DREE funding in this Province and in the nation generally. Now I would just point out in this that to date there has been a total of \$508 million, Mr. Speaker, that has been expended between 1974 and 1979; there was \$508 million. In 1980 an alarming drop occurred in the cash flow of about \$40 million. In 1981 another alarming drop by another \$10 million down to \$30 million, so we are very, very concerned about this. We have the agreements and proposals in Ottawa and we are waiting for them to come back to us. As we said today at the press conference after the signing, we

MR. MARSHALL: regard DREE as being a very important bridge in the transition from the 'have-not' Province, the status which we are, to the 'have' Province to which the Peckford administration is leading the Province and the people of Newfoundland.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: And DREE, Mr. Speaker, is an extremely important element and component. I think it would be rather unfortunate indeed if DREE funding were withheld from people who need it purely and simply because these people need it pending getting the same resources that we feel has some element in the holding back of the DREE monies from us. I do not think that is acceptable to Newfoundlanders, Mr. Speaker, and neither is it acceptable to Canadians.

Now, then, Mr. Speaker, by way of elaboration, I should indicate that our most recent submission to DREE on this matter contained a fisheries development programme of \$15 million. Upgrading of fishery facilities,

MR. MARSHALL:

most of which are provincially owned, is a major priority for fisheries development along the Labrador Coast. We are given to understand that the federal Department of Fisheries and Oceans intends to carry out the Fisheries Development programme entirely on its own. This government is at a loss to understand why at this stage of the game a major component of the original proposal was entirely -

MR. NEARY: (Inaudible).

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: Now, Mr. Speaker, I do not mind interjection from some members on the other -

MR. NEARY: (Inaudible).

MR. CARTER: This is shocking! This is frightful!

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

MR. MARSHALL: Mr. Speaker, I do not mind interjection from some members but, you know, I can be choosy and the hon. the member for LaPoile (Mr. Neary) I do not have to take interjections from.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: This government, Mr. Speaker, is at a loss to understand why at this stage of the game a major component, as I said, of the original proposal was entirely pulled out and will be funded 100 per cent by and implemented by a federal line programme. At a time of fiscal restraint, we are also at a loss to explain why the federal government would reject our \$1.5 million share which had been committed to the fishery programme. The Minister responsible for Northern Development (Mr. Goudie) will have further to say on this subject.

On a more general note, though, I would make reference to a statement that the Premier



MR. MARSHALL: made in the House of Assembly a few days ago. At that time he indicated that since 1974 a total of nineteen specific DREE subsidiary agreements totalling some \$508 million had been signed. Up until 1978, we had been averaging four agreement signings per year. In the three years since then, only three agreements have been signed, the latest being the Forestry in 1981. No agreements at all were signed in 1980. Yet, Mr. Speaker, it is fair to say that there have been many meetings at the ministerial and officials level concerning a large number of proposals submitted by the Province to DREE.

MR. NEARY: Nasty! Plain nasty!

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: At present DREE is in receipt of proposals from us on - listen to this, Mr. Speaker - land surveying and mapping, a proposal on NORDCO, on Corner Brook, on pulp and paper modernization, on highways, on the Institute of Fisheries and Marine Technology, on industrial development and on minerals development. A couple of these were first placed in the hands of federal officials as far back as 1977. In 1979, the level of DREE funding in the Province was about \$70 million, and unless a significant number of these outstanding agreements are signed, the level could fall to about half that amount in the current fiscal year.

The Province feels that the Department of Regional Economic Expansion is an excellent vehicle with which to address regional disparities in this nation. We have observed with some considerable concern the fact that DREE's budget, as a percentage of the national budget, has dropped some 33 per cent over the past five years. It would appear that DREE is becoming less and less of a priority in the overall -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: - in the overall budgetary process  
of the federal government. We are very anxious to see this -

SOME HON. MEMBERS: Oh, oh!

MR. MORGAN: We cannot hear what is going on in this House.

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

When the Chair calls order, it  
expects that hon. members will have some respect for the  
authority of the Chair and listen to what the Chair says.  
We would like to have order so we can hear what is being  
said, please.

The hon. the President of the  
Council.

MR. MARSHALL: I said, Mr. Speaker, we are very  
anxious to see this trend stopped and reversed if possible,  
as the problem of regional -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MARSHALL: Mr. Speaker -

MR. SPEAKER (Simms): I must ask the hon. member for St. Mary's - The Capes (Mr. Hancock) specifically, please, to restrain himself from shouting across the floor.

The hon. President of the Council.

MR. MARSHALL: We are very anxious to see this trend stopped, Mr. Speaker, and reversed, if possible, as the problem of regional disparity in this nation is still much with us.

Now in closing, let me reiterate government's pleasure at the signing of this badly needed DREE agreement for Coastal Labrador. However, I would be less than honest if I did not express bewilderment at the extraction of the fishery's section of the original proposal and disappointment that the whole Straits road was not included. As well, I would like to express concern about many other proposals on which we are eager to sign agreements.

And finally, Mr. Speaker, let me express a personal note of thanks, on behalf of the government and the Premier, to the hon. Mr. De Bane for his efforts on our behalf and his sensitivity to our problems. As well, we would like to express government's support for the continuance of his department's mandate within our nation. As I said, DREE is an excellent vehicle to address some of our nation's economic problems and the federal government would be well advised to continue and increase their support of it. And I might say, Mr. Speaker, for the hon. members there are copies available, there will be copies as well, Mr. Speaker, going to Labrador, and I know the people of Coastal Labrador will well like to learn, as we will tell them, that the hon. member for Eagle River (Mr. Hiscock) thinks that their legitimate aspirations are wish lists that should not be fulfilled.

SOME HON. MEMBERS: Hear, hear.

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

MR. SPEAKER (Simms): A point of order has been raised by the hon. member for Eagle River.

MR. HISCOCK: With regard to the statement, with regard to a wish list, I supported and I stood up in this House time and time again with regard to the needs of Labrador. Labrador, if it is going to become an integral part of this Province -

MR. SPEAKER: Order, please!

MR. HISCOCK: - this Province has to do more than ten per cent -

MR. SPEAKER: Order, please!

MR. HISCOCK: - to look after the needs of Labrador.

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

I do not believe there is a point of order. The hon. member is taking the opportunity to make an explanation on some remarks that were attributed to him, I suspect, but that is not a point of order.

The hon. Leader of the Opposition has about seven and a half minutes.

MR. STIRLING: Mr. Speaker, I do not know what this Province has come to when on a day when we receive from our minister in the federal Cabinet -

MR. MORGAN: (Inaudible)

MR. SPEAKER: Order, please!

MR. WARREN: Now you close your gap.

MR. LUSH: Remember a closed mouth (inaudible).

MR. STRILING: - as a result, Mr. Speaker, of the untiring efforts of a hard working Newfoundlander, totally committed, has gone to every length to bring about this benefit for the Province of Newfoundland and Labrador -

SOME HON. MEMBERS: Hear, hear.

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MR. STIRLING: - I never thought, Mr. Speaker,  
that I would see the day when an acting Premier -

SOME HON. MEMBERS: Oh, oh.

MR. STIRLING: - would show such disappointment  
getting up in this House trying to prove

MR. STIRLING: again and again that Confederation does not work, the anti-Confederate, the ultimate anti-Confederate, and also on anti-Canada.

MR. NEARY: That is right.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: Now, Mr. Speaker, -

MR. NEARY: Give it to him.

MR. STIRLING: Now, Mr. Speaker, let us take a look at the inconsistency that we are now seeing come through day after day - inconsistency day after day, Mr. Speaker. Here is a government that says, 'Federal government, stay in your own area of responsibility', and yet, Mr. Speaker, let us look at what this agreement is. This part of the agreement this \$39 million, Mr. Speaker, this part of the agreement, and what does it deal with?

MR. NEARY: He does not have the courage to say it out loud. He has got no guts.

MR. STIRLING: What does he -

DR. COLLINS: A point of order, Mr. Speaker.

MR. SPEAKER (Simms): A point of order has been raised by the hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, the hon. Leader of the Opposition is trying to make some points. Now it is very difficult to hear these points with the racket going on amongst his colleagues on the other side. There are continual interruptions by his colleagues on the other side. It is very

DR. COLLINS: difficult to follow the arguments he is trying to put together. His arguments perhaps are not the smoothest, but nevertheless if one concentrates I am sure there is a thread through them. But it is very difficult to follow that thread when there are continued interruptions.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Simms):

Order, please!

There is no point of order.

The hon. Leader of the

Opposition.

MR. STIRLING:

Mr. Speaker, that is why

I ignored the comment from a minister over there who said, 'That is a lie, that is a lie, that is a lie; because we are trying to deal with the points that were brought out, Mr. Speaker.

MR. WARREN:

There he is over there.

There he is over there.

MR. SPEAKER:

Order, please!

MR. STIRLING:

Mr. Speaker, let us take

a look at the inconsistency of this government, which says to all of the people in Newfoundland, 'We want to own and control our resources and the federal government stay out of it.' Now here is the federal government - and let us look at the \$39 million; \$16 million for roads, completely a provincial responsibility -

SOME HON. MEMBERS:

Hear, hear!

MR. STIRLING:

- absolutely, totally -

SOME HON. MEMBERS:

Hear, hear!

MR. STIRLING:

- and they ignore their

responsibilities. They do not spend the money and it is the DREE Minister who has to come up with \$16 million, through our minister, Mr. Rompkey. Let us look at what else; \$14 million

MR. STIRLING: in community services, Mr. Speaker, totally a provincial responsibility.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: \$3 million on health services, Mr. Speaker, totally a provincial responsibility.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: And \$3 million for studies because the federal government, a Canadian government, a Liberal government is concerned about the people in Labrador, Mr. Speaker, but that is also totally a provincial responsibility. The man does not have the good grace -

MR. FLIGHT: The anti-Confederate.

MR. STIRLING: Mr. Speaker, if the people in Ottawa are a fraction



MR. L. STIRLING: are one thousandth as bad as the President of the Council (Mr. Marshall) thinks -

SOME HON. MEMBERS: Oh, oh!

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

MR. W. MARSHALL: A point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

The hon. President of the

Council has a point of order.

MR. W. MARSHALL: Mr. Speaker, the hon. gentleman is not really relevant to the statement. I can advise him - he is debating the statement, Mr. Speaker- but I can advise him, to save himself, that he can reduce the modulation of his tone because Mr. Rompkey has left the precincts of the House right now. He drove him out.

SOME HON. MEMBERS: Oh, oh!

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

That is not a point of order.

The hon. Leader of the Opposition.

MR. L. STIRLING: Mr. Speaker, one of the things that the people of this Province are going to see is that they gave this government a large mandate. Only two years ago, Mr. Speaker, and they are now seeing that they are not getting the full information, that they are seeing only a political connotation put on everything. Mr. Speaker, we have tried to co-operate with them in the interest of Newfoundland and Labrador and the Newfoundlanders and the Labradorians.

Mr. Speaker, if they have the slightest suspicion in Ottawa that there are people who want to treat this government or the Province in this way, then what they are doing is they are doing their best to destroy DREE. Because, DREE, Mr. Speaker, was developed by the Liberals, by Don Jamieson and others, to come in and

MR. L. STIRLING: help out because this Province does not have the money, and they can have the money.

And when they attack DREE in this manner, Mr. -

SOME HON. MEMBERS: Sit down, boy! Sit down!

DR. J. COLLINS: A point of order, Mr. Speaker.

MR. SPEAKER (Simms): Order, please!

A point of order has been raised; the hon. Minister of Finance.

DR. J. COLLINS: Mr. Speaker, this particular proceeding is not a debate proceeding. Now the hon. Leader of the Opposition (Mr. Stirling) says that the government is trying to destroy DREE. That is purely a debatable point, there is no doubt about that. To state that the government is trying to destroy DREE may be an opinion that someone can legitimately hold, but it is not a statement of fact, it is a debatable point. And I would say that, therefore, the hon. Leader of the Opposition is into an area of debate and that is quite clear and I would ask Your Honour to call him to order.

MR. L. STIRLING: To the point of order, Mr. Speaker.

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

MR. L. STIRLING: Mr. Speaker, what we have seen here this morning - we now have had two of the senior ministers get up on points of order that did even require our comment. The Speaker had to rule them out of order immediately. And the only point in doing it, Mr. Speaker, is to try to disrupt, try to allow the people of the Province to see only one side, and that is their prepared release, with the people -

SOME HON. MEMBERS: Hear, hear!

MR. L. STIRLING: Mr. Speaker, they are using the government money, they are using the liquor control, they are using funds of the public to get out a one-sided - and, Mr. Speaker, you have the right to control this and you are controlling it and you are doing an excellent job of

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MR. L. STIRLING: making sure that we get our position across in this House. And that point of order, Mr. Speaker, as I am sure you will rule, is again not a

MR. STIRLING: point of order, just a delaying tactic because they know how to use up the time.

MR. SPEAKER (Simms): With respect to the point of order, I will say that I think the rules are there for everybody to see and it is clear for both sides to observe. I allowed a great deal of flexibility when the statement was being presented and I therefore allow the same flexibility when the response is being made.

I will say, however, that the last point made by the hon. Leader of the Opposition (Mr. Stirling) is certainly legitimate because his time has now expired.

I would like to, on behalf of all hon. members, before accepting other statements, ask hon. members to join me in welcoming to the galleries today some twenty-five students and their teaches, Mr. Sam Samuels, Mr. Everett Pitts, Mrs. Betty Dobbin and Mrs. Grace Power who are visiting us today from the Green Bay Integrated School in Little Bay, the district of Green Bay. We hope they enjoy their visit.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: And I would also like to welcome to the galleries today, on behalf of all hon. members, the Leader of the Government of the Yukon, the hon. Chris Pearson, who is seated in the upstairs gallery.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements?

The hon. Minister of Rural, Agricultural and Northern Development.

MR. GOUDIE:

Mr. Speaker, as minister responsible for Labrador development, and on behalf of my colleague, the Minister of Fisheries (Mr. Morgan), I feel it incumbent upon me to make a few comments on the exclusion of the fisheries development programme from the Coastal Labrador DREE Agreement.

First of all, government is at a loss to understand why at this late date this programme had to be taken from a DREE agreement and funded and operated by the Federal Department of Fisheries and Oceans. The Provincial Fisheries Department, and my department, are very much aware of the needs of the Labrador Coast and a large number of projects were identified for inclusion in the DREE agreement.

Besides woefully inadequate wharf and loading and unloading facilities, there were about twenty other fish handling facilities in need of improvement and/or expansion. Communities to be covered included L'Anse-au-Clair, Pinware, West St. Modeste, Capstan Island, L'Anse-au-Diable, Webb Bay, Henley Harbour, Cape Charles, Mary's Harbour, Fox Harbour, Williams Harbour, Pinsent Arm, Seal Islands, Port Hope Simpson, and Black Tickle, Cartwright, Rigolet and Makkovik, Postville, Hopedale, Davis Inlet and Nain.

Certain preliminary planning for this work had already been done and, in the case of Nain and Makkovik, detailed plans of certain phases of improvements had been essentially finalized. We are now unsure as to whether or not these projects will be carried out as the Federal Department of Fisheries may be inclined to give priority to other projects.

MR. GOUDIE: At best we can expect delays in projects slated for an early start under the DREE agreement. Because of the recent fisheries conference in L'Anse-au-Clair, federal officials indicated that further preliminary investigations and studies would be needed. If indeed it is the intention of the Federal Fisheries Department to start from scratch on the prioritising and planning of fisheries development projects on the Labrador coast, then substantial construction could be delayed months or even years. This certainly would not be welcome news to the fishermen of Labrador who waited so long for this DREE agreement.

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: Before concluding, Mr. Speaker, as a Labrador member I would be remiss in my duties if I did not mention in the DREE context our need for a start on the Trans-Labrador Highway.

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: Such a major transportation artery is vital to further development in Labrador and its construction would certainly fit the general DREE mandate. I can only say that it is far too expensive a project for the Province to undertake alone and I would stress the need for the federal government to move this project up on its list of priorities.

In conclusion, Mr. Speaker, for some time now the provincial government has been stressing the need for more co-operation between the two orders of government in matters relating to fisheries. As pointed out earlier, the federal / provincial approach used in the DREE process has worked well and has ensured that DREE funds are spent according to local development of priorities and needs. The extraction of the fisheries component from the Coastal Labrador DREE Agreement is certainly counter to past successful arrangements and I can only hope that the residents of Coastal

MR. GOUDIE: Labrador are not subjected to undue delays.

MR. NEARY: You could not get a road agreement and now you cannot get a fishery agreement.

SOME HON.MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

SOME HON.MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! I can only conclude that hon. members are having trouble hearing this morning, as the Chair is, because I have called order several times and hon. members are not paying attention to the Chair. When the Chair calls order, it expects to have order.

The hon. minister.

MR. GOUDIE: If I can just conclude, Mr. Speaker. The extraction of the fisheries component from the Coastal Labrador DREE Agreement is certainly counter to past successful arrangements and I can only hope that the residents of Coastal Labrador are not subjected to undue delays in the start-up of some very badly needed projects.

SOME HON.MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Eagle River has about two minutes.

SOME HON.MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HISCOCK: Mr. Speaker, I am rather surprised that after signing a \$47 million agreement that here is the government now criticizing the federal government. And, Mr. Speaker, may I say - and this is my own personal opinion - that the federal Minister of Fisheries (Romeo LeBlanc) has taken out the fisheries component because why should he give \$14 or \$15 million to the present Minister of Fisheries (Mr. Morgan) when there was nothing that the federal minister could do that was right.

SOME HON.MEMBERS: Oh, oh!

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MR. SPEAKER (Simms):

Order, please!

MR. HISCOCK:

So, Mr. Speaker, this money will be spent and more will be spent on the Coast of Labrador. The present Minister of Fisheries (Mr. Morgan) has refused to give Rigolet an ice machine.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. HISCOCK:

But may I say, Mr. Speaker, with regard to the Trans-Labrador Highway, LCDC, the Province is wanting the federal government to do everything in Labrador. There is a new organization in Labrador for the rights of



MR. HISCOCK:

Labradorians saying that basic services have to be done by the Province, not by the federal government, and that if it is not, then Labrador should become the eleventh province or go to a territory. So I would say this government cannot continue to shirk its responsibility and put it over on the Minister of Fisheries (LeBlanc) and put it over on the federal government and ask them to do everything for Labrador. Either Labrador is an emotional, integral, moral part of this Province, and if it is not, Mr. Speaker, then the President of the Council (Mr. Marshall), the Minister of Fisheries (Mr. Morgan) or the Minister of Rural, Agricultural and Northern Development (Mr. Goudie) cannot get up in this House and continue to ask Ottawa to do 90 per cent for that part of our Province. And it is this alienation, this emotional alienation - the people feel they are only worth 10 per cent. All the money that is coming into the Province from Labrador has to go back. This government has to stand up and be counted and say that we are going to do 100 per cent in schools. The Minister of Education (Ms Verge) said there are sub-standard schools - no money forthcoming. 'I cannot even get an ice machine,' the member for Torngat Mountains (Mr. Warren) has said. Various things like \$10,000 grants or whatever, we cannot get from this Province.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. HISCOCK: And, Mr. Speaker, this government continues to want Ottawa to do everything. And I would say - and this is a warning to our people -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HISCOCK: - through the press, Mr. Speaker, in concluding, that we, as a people and a government, have to give more provincial attention to Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Order, please!

I am sure hon. members would like to join me today in welcoming to the galleries, as well, a group of nine students from the Newfoundland School for the Deaf and six from the Institute for the Deaf in Quebec City along with their teachers, or people accompanying them, at least; Mrs. Helen Dunne and M. Jacques Monfete are from Newfoundland; and from Quebec we have Monsieur Louis Cayer. Welcome to the galleries.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Welcome and bien venue.  
Any further statements?

ORAL QUESTIONS

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

MR. STIRLING: Mr. Speaker, I have a question for the -

MR. LUSH: Call for an election, 'Len'! Call for an election!

MR. LUSH: Yes, call for an election.

MR. STIRLING: Mr. Speaker, I would love to call an election.

MR. FLIGHT: Dissolve the House and call an election.

MR. STIRLING: Well, I called the last election;

I have been told that I called the last election. The day that we started to get Mr. Jamieson back, in a panic they called the last election.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: Mr. Speaker, any time that they are ready.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER(Simms):

Order, please!

MR. STIRLING:

Mr. Speaker, since we cannot call an election, we will then have to do away with ministers, one by one, and to the minister who is hanging on now by the teeth, by his fingernails, by his stubbornness, by the arrogance of the President of the Council (Mr. Marshall)-

MR. NEARY:

He would never get a job anywhere else.

MR. STIRLING:

Mr. Speaker, the question I have for the Minister of Labour and Manpower is in view of the fact that the Board that he is supposed to work with considered it inappropriate that he should intercede with the Board, and in view of the fact that we

MR. L. STIRLING: now have the Brotherhood of Electrical Workers calling for his resignation and the Fishermen's Union calling for his resignation - today it is CUPE calling for his resignation - at what point will the minister live up to the promise that he made to the Federation of Labour, that if Labour no longer wanted him that he would then resign? At what point will the minister then resign? When he gets 50 per cent of Labour against him? - 75 per cent, 90 per cent, 100 per cent? What evidence would the minister like to have in order to then live up to his obligations to Labour and to resign? How much evidence do you need?

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

MR. J. DINN: Mr. Speaker, to the hon. Leader of the Opposition (Mr. Stirling), with all the important things that we have to discuss in this Province, it is unfortunate that the Leader of the Opposition can find only thing to talk about.

The fact of the matter is what I will do with the hon. the Leader of the Opposition's question is that I will take it under advisement. I will study the Mifflin Report again and I will get back to the hon. gentleman.

MR. L. STIRLING: A supplementary, Mr. Speaker.

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

MR. L. STIRLING: Mr. Speaker, at least we now got him started. After four days he is now going to take it under consideration.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. W. MARSHALL: A point of order, Mr. Speaker.

MR. SPEAKER (Simms): Order, please!

A point of order, the hon.

President of the Council.

MR. W. MARSHALL: My point of order is, Mr. Speaker, the hon. member for LaPoile (Mr. Neary) and the hon. member for St. Mary's - The Capes (Mr. Hancock) - the hon. Leader of the Opposition (Mr. Stirling) is asking a question. He is entitled to be heard in silence. They may not wish to listen to their hon. Leader but we do over here, Mr. Speaker.

MR. L. STIRLING: Mr. Speaker -

MR. SPEAKER: Do you wish to speak to the point of order?

MR. L. STIRLING: No, there is no point of order.

MR. SPEAKER: Well, I have to make a ruling whether there is a point of order or not.

MR. L. STIRLING: Oh, go ahead, rule, Mr. Speaker.

MR. SPEAKER: I would rule that there is no point of order other than the fact that obviously members should try to let members speak in silence.

The hon. Leader of the Opposition.

MR. L. STIRLING: Mr. Speaker, I think that the Speaker is going to have to take a look at doing something to control those kinds of points of order which are just used to delay, delaying tactics only.

Now, Mr. Speaker, getting back to the main issue: It is a problem that the Minister of Labour and Manpower (Mr. Dinn), as shared by this whole government, as shared by what we saw in the earlier statement, a government that has gone into a shell and stopped governing, a government that has just given up and is defending themselves.

MR. L. STIRLING: Would the Minister of Labour and Manpower (Mr. Dinn), who does not obviously feel that this is an important issue, the question of the Minister of Labour and Manpower being able to perform. On this side of the House we consider it very important that there be confidence in the Labour Relations Board, that there be confidence in the Minister of Labour and Manpower. I would ask the Minister of Labour and Manpower why it is that he has not tabled the letter of April 30th? He tabled the letter of April 20th and we tabled the letter of May 19th. Why is it that the minister has not tabled the letter of April 30th. from the Board Chairman to the minister?

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

MR. J. DINN: Mr. Speaker, I was of the impression that it was already tabled. I do not see the point of tabling a letter more than once.

MR. L. STIRLING: It has not been tabled.

MR. J. DINN: It has not been tabled?

MR. L. STIRLING: No.

MR. J. DINN: The letter of April 30th. has not been tabled? Well, I am sure it is public knowledge.

MR. STIRLING: Would you table it?

MR. NEARY: I have not tabled it yet, I will if the hon. minister does not.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: Would the minister table it?

MR. DINN: Mr. Speaker, I am apparently going through my correspondence, I will get the appropriate letter. I do not know if I have it here right now but I will certainly go through my correspondence and if I have it I most certainly would table it.

MR. STIRLING: Supplementary, Mr. Speaker.

MR. SPEAKER (Simms): Supplementary, the hon. Leader of the Opposition.

MR. STIRLING: Would the minister indicate, since he explained to us the proper procedure yesterday, now that this has been brought to his attention, does he now consider that when Newfoundland Light and Power brought this to his attention that the matter was before the courts, and in the view of the letter that he has received from the Labour Relations Board, does he now consider that his action was inappropriate? And can we be assured that he will never take such action again?

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

MR. DINN: Mr. Speaker, first of all, the letter that I wrote certainly was not inappropriate in my opinion.

SOME HON. MEMBERS: Oh, oh.

MR. DINN: Now in the opinion of some people it is. It is unfortunate that my letter was interpreted by some people to think that it was inappropriate. I certainly do not think it was inappropriate and feel that I still do not have, by the way, a written explanation which I think is necessary, Mr. Speaker.

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Tape No. 1951

SD - 2

MR. FLIGHT: As you have a verbal one?

MR. DINN: The fact of the matter is that I wrote that letter, the letter was to the Labour Relations Board, and the letter was not made public by me but it was made public by the hon. the Leader of the Opposition (Mr. Stirling) or the hon. member for LaPoile (Mr. Neary). And I think that that was inappropriate because it was before the courts.

MR. LUSH: Supplementary, Mr. Speaker.

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

MR. LUSH: Mr. Speaker, respecting again this letter that the minister wrote to the Labour Relations Board, which he was not requested to write, which he was not requested to take any action upon by the Vice-President and General Manager of Newfoundland Light and Power, respecting that letter, again I am trying to get to the point of the question that the minister was alluding to when he says: 'I would be pleased to hear your reaction and response to this important question'.

Yesterday the minister said the question was that he wanted the Labour Relations Board to conduct a hearing. So I wonder if the minister would this morning specifically advise the House and the people of Newfoundland and the labour movement of this Province what it was that he wanted the Labour Relations Board to conduct a hearing on, whether it was the original application made by the IBEW or whether it was the application for an extension of powers because there are two items here? So which was it that the minister was asking for a hearing to be held on, which application?



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

MR. DINN: Mr. Speaker, there was a decision made by the Labour Relations Board. The minister at no time requested a hearing.

MR. FLIGHT: That you tried to change.

MR. DINN: - at no time requested that they change their decision, at no time did he state that they should do this or do that, but to please supply him with information with respect to what had happened. That is all.

MR. FLIGHT: Do not be lying.

MR. LUSH: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, I do not have Hansard here, but yesterday clearly I recall having asked the minister to explain the purpose of his letter, to explain the question he was writing about because he clearly finishes the letter by saying, 'I would be pleased to hear your reaction and response to this important question', which indicates there is a question. He did not say to these important circumstances, or to this important situation, but he said to this important question. And when I put the matter to him yesterday he said the question was on whether the Board was going to conduct a hearing. So I have asked him this morning to ask what he wanted the hearing on, whether it was the original application or whether it was the application for the extension of further powers?

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

MR. DINN: The hon. member has all of the information available to him, and he is a gentleman who is well

MR. DINN: educated and can read and understand what is going on. There were allegations made with respect to the fact that the company did not get a hearing. That was alleged in the letter from Mr. Templeton. Now the fact of the matter is is that raises a question. When an allegation is made, if I accuse the hon. gentleman of doing something or not doing something, that raises a question as to why.

MR. LUSH: Not necessarily.

MR. DINN: Well, it certainly does. The hon. member for LaPoile (Mr. Neary) accused the hon. member for Harbour Main-Bell Island (Mr. Doyle) of doing something. That certainly raised the question as to whether he did or did not do. The hon. member for LaPoile was consequently shot down.

MR. LUSH: That has nothing to do with it.

MR. DINN: The fact of the matter is the same thing may happen here when I get the response from the Labour Relations Board.

AN HON. MEMBER: You got it.

MR. DINN: Mr. Templeton may be shot down, and that is totally within the powers of the Labour Relations Board.

Now the decision was made as to whether a certification should or should not be given, and it was given. And that is totally within the powers of the Labour Relations Board, totally within. That is the part of the Labour Relations Act that they administer, totally within their powers. Having made that decision and having received allegations about that decision, now I certainly could not answer why a hearing was or was not given. I certainly did not know why a hearing was or was not given. And in order to get that information - because an allegation was made, a question arose as to what the surrounding circumstances were - I said, 'Would you please forward to me the information so that I can answer this important question.'

MR. NEARY: No, you did not say that. That is not true, you did not say that.

MR. LUSH: No, no!

MR. DINN: Mr. Speaker!

MR. NEARY: Give us the answer.

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

MR. NEARY: Give us the answer.

MR. DINN: 'I would be pleased to hear your reaction and response to this important question.'

MR. LUSH: Yes. What question? What question?

MR. DINN: That is the question. The question is there was an allegation made.

MR. LUSH: What allegation?

MR. DINN: Out of that allegation arises the question as to why -

MR. LUSH: What is the allegation?

MR. NEARY: You are the one making allegations.

MR. SPEAKER: Order, please!

MR. DINN: The allegation is made here in the letter from -

SOME HON. MEMBERS: Oh, oh!

MR. DINN: Mr. Speaker, the hon. members opposite -

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

MR. DINN: - the hon. member for LaPoile

(Mr. Neary) just got shot down four or five times this week.

MR. NEARY: (Inaudible) by you, by you.

Do not be (inaudible).

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Tape No. 1953

NM - 2

MR. DINN:

in this House.

He represents an Andy Davidson

MR. SPEAKER (Simms):

Order, please! Order, please!

MR. DINN:

in this House.

He represents John C. Doyle

MR. NEARY:

What is he bawling about?

MR. SPEAKER:

Order, please!

MR. DINN:

this House -

He represents everybody else in

MR. SPEAKER:

Order, please!

MR. DINN:

the people of the district he represents.

- but he should start representing

MR. NEARY:

company. Do not be irrelevant.

I do not represent the telephone

MR. SPEAKER:

to conclude, I think.

The hon. minister must be ready

MR. DINN:

to answer a question and I am being interrupted by the hon. member for LaPoile who is completely out of order and I ask you to call him to order.

Well, Mr. Speaker, I am attempting

MR. LUSH:

A supplementary, Mr. Speaker.

MR. SPEAKER:

member for Terra Nova, followed by the hon. member for St. John's North, followed by the hon. member for Grand Bank.

A final supplementary, the hon.

MR. LUSH:

Mr. Speaker, I must say I have never seen so many sentences and so many phrases put down on a letter without any purpose. The minister, whatever reason we ask for the purpose he wiggles and worms his way out of it. Now the minister indicates that he was not asking the Board for a hearing but yet he writes in the letter, on page two, when he finishes the second but last paragraph, he says, "Safety and security of the people

MR. LUSH: of the Province could be affected," with some more preambles, "surely deserves a thorough hearing." Well, Mr. Speaker, he brings it out in the letter that there should be a hearing but yet he says the purpose of his letter was not for that, that it was to relay information.

So, Mr. Speaker, a final question then to the minister, was the purpose of his letter just to relay information to the Labour Relations Board? If it was, why did he not just simply send off the letter sent to him by the Vice-President and General Manager of Newfoundland Light and Power?

MR. NEARY: Why did he attack the union?

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

MR. DINN: Mr. Speaker, I get many representations, not only about the Labour Relations Board, but I get representations from the member for Eagle River (Mr. Hiscock) about the Workers' Compensation Board, I get representations from other members of the House about certain boards that operate under my department -

MR. NEARY: You will not be around much longer.

MR. DINN: - and the fact of the matter is I write letters. I wrote letters to the Workers' Compensation Board -

MR. LUSH: Answer the question.

MR. DINN: - on behalf of a constituent of the hon. member. I wrote a letter to the Labour Relations Board. And there is nothing in that letter. I mean it could be interpreted, I understand -

MR. LUSH: Oh, you do?

MR. DINN: Oh, I certainly understand that it certainly could be interpreted by the - you know, there is none as blind as those who will not see.

MR. LUSH: Oh, yes.

May 29, 1981

Tape No. 1953

NM - 4

MR. DINN: It can be interpreted. The fact of the matter is I did not look at this and go to a lawyer and say, Now look, I want to write a letter and I do not want to get on dangerous ground here I just want to write a letter to the Labour Relations Board asking, I would be pleased to hear your reaction to -

AN HON. MEMBER: No, would you please hear is what you wanted.

MR. DINN: - allegations. All right? That was the purpose of the letter. That was the sole purpose of the letter. There was never - number one, a decision had been made. There was no - ever any intention on my part to interfere with the Labour Relations Board, I contend that now and I will always contend that. Number three -

MR. NEARY: Too late now, you got caught.

MR. DINN: Number three, Mr. Speaker.  
there are some serious questions that arise out of this 10-04

MR. NEARY: Do the honourable thing and  
go out and reseign.

MR. DINN: The hon. member for LaPoile  
(Mr. Neary), Mr. Speaker, is interrupting me again. He is  
obviously breaking the rules of the House and he continues  
to break the rules of the House, and I do not know how we  
can conduct this as a debating forum, conduct this as a  
reasonable operation if this is going to continue.

MR. CARTER: Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for St.  
John's North.

MR. CARTER: Mr. Speaker, I have a question that is  
somewhat complex in nature so I will quote my sources in a  
moment from Beauchesne. My question, Mr. Spaker, is addressed  
to the Leader of the Opposition, and in making -

MR. STIRLING: A point of order.

MR. CARTER: I am ready to quote my quote.

MR. SPEAKER: Order, please! The hon.  
member says he has references and he can use them now in the  
debate on the point of order, I guess.

The hon. Leader of the  
Opposition on a point of order.

MR. STIRLING: The Speaker has ruled  
previously in this House that you cannot ask questions of  
the Leader of the Opposition. I would love to answer some  
of the questions, I would love to be in that position, but  
in order to do that we have to move across and if they would  
like to give up, we would be quite happy to move across the  
floor and answer any questions that they have.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: To that point of order, the hon. member for St. John's North.

MR. CARTER: To that point of order, Mr.  
Speaker, I quote Beauchesne, paragraph 357, (a) to (mn).  
It is somewhat negative.

SOME HON.MEMBERS:

Oh, oh!

MR. SPEAKER (Simms):

Order, please! I would like to hear the submission to the point of order.

MR. CARTER:

If they will not give me some silence and some order, I can hardly make my points. I am quoting Beauchesne, paragraph 357, 358 (a to f), 359 sections 1 to 12, 360 (1) to (6) and, more importantly, section 366. All of the paragraphs, 357 to 360, have to be looked at in their negative, from the negative point of view.

SOME HON.MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. CARTER:

In that, Mr. Speaker, the principle being what is not denied is therefore permitted. And since my question -

SOME HON.MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! If the hon. members would stop interrupting, I might be able to hear the debate on the point of order and rule on it a little more quickly but all we are doing is making it a little longer.

Does the hon. member have any further submission to this point of order?

MR. CARTER:

No, Mr. Speaker, I merely wish to say that those paragraphs 357 to 360 should be looked upon on the principle that what they do not prohibit they permit. But paragraph 366 is a little more specific.

MR. SPEAKER:

I think the hon. member, unless the hon. members wishes to add another point -

MR. HODDER:

To this point of order, Mr. Speaker.

MR. SPEAKER:

To the point of order.

MR. HODDER:

I just have to stand on it even though it is taking time from Question Period because the member was quoting from 357 to 366. Most of that,



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Tape No. 1954

AH-3

MR. HODDER:

Mr. Speaker, deals with written questions and not with oral questions, and it shows the intelligence and the knowledge of political procedure of the hon. member.

MR. SPEAKER (Simms): With respect to the point of order, there is no point of order. There has been in the past rulings given and, of course, the Standing Orders point out clearly that questions on matters of urgency may be addressed to ministers of the Crown. I think there was a subsequent precedent in this House which allows Parliamentary Secretaries to reply to questions, but other than that I do not believe I would be able to permit a question of the Leader of the Opposition.

The hon. member for Grand Bank.

MR. THOMS: Thank you very much, Mr. Speaker. We are certainly not going to be sidetracked by that big galoot from St. John's North (Mr. Carter).

Mr. Speaker, I have a question I would like to direct to the -

MR. SPEAKER: I am not sure if that is unparliamentary, but I am certain it is not language that we would like to hear in the House and maybe the hon. member would withdraw the words 'big galoot'.

MR. THOMS: I certainly withdraw the words 'big galoot' but the words 'fool' and 'buffoon' are certainly parliamentary.

MR. SPEAKER: Maybe the hon. member has a question. It might be more appropriate to put a question.

MR. THOMS: Yes, Mr. Speaker, I do. I would like to direct a question to the Minister of Labour and Manpower (Mr. Dinn). The minister talks about the Workers' Compensation Board and the Labour Relations Board in one breath but, Mr. Speaker, that is to lead this House astray by speaking about both of them in the one breath because one is a judicial board and the other one is not a judicial board.

Mr. Speaker, the minister, in his letter, refers to a hearing. He said it is 'a denial of natural justice to deny hearing a case such as this.' He refers in his third paragraph to this matter 'surely deserving a

MR. THOMS: thorough hearing' and then he says that he did not ask the board for a hearing. That again is leading this House astray.

MR. NEARY: Completely irrelevant.

MR. THOMS: Mr. Speaker, the minister also says that he is still waiting and still expects an explanation from the Labour Relations Board.

MR. NEARY: After denouncing the minister.

MR. THOMS: Could the minister indicate whether or not, at this moment, he still believes that this judicial body, the Labour Relations Board, is under any obligation whatsoever to give him any explanation once they have made a decision on a case?

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

MR. DINN: Mr. Speaker, I would think it would be normal. Now whether they do or do not, that is certainly up to the Board. I mean, the Board, you know, may or may not. But certainly last year I put an action before the Board, I believe it was under Section 118, which is my prerogative as a person in this Province, Anybody can lay -

MR. NEARY: On behalf of the telephone company.

MR. DINN: - Mr. Speaker, and I certainly got a reply to that; I got two or three replies, Mr. Speaker. Now the fact of the matter is is that this, to me, is the same thing. The fact that I did not say, you know, I would like to lay an action before the Board, I mean, I simply asked the Board, 'I would be pleased to hear your reaction' -

MR. NEARY: Yes, to what? Reaction to what?

MR. DINN: - 'and response to this important question' as to these allegations that were being made.

MR. NEARY: What are the words (inaudible)?

MR. DINN: That is what we are talking about.

MR. SPEAKER: Order, please!

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Tape No. 1955

SD - 3

MR. DINN: It is a simple matter. Now if the Board decides that they do not want to, well, that is fine. That is certainly within their prerogative

MR. DINN: if they do not want to reply. I think it would be unfortunate. I really believe that it would be unfortunate. But it is certainly something that I am not overly concerned about. The Board is one of the boards that comes under the Department of Labour and Manpower and I happened to send them a letter saying, 'I would be pleased to hear your reaction to allegations made in the letter from a certain gentleman.'

MR. NEARY: The allegations were made by you, not by Mr. Templeton.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER(Simms): Order, please!

MR. DINN: The hon. the member for LaPoile -

MR. NEARY: Do not get me wrong now. Think of the question. The accusation and charge were made by you.

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

AN HON. MEMBER: Name him! Name him!

MR. SPEAKER: Order, please! Order, please! Let us see if we can get an answer.

MR. DINN: The gentleman alleges here that he should have gotten a hearing.

MR. NEARY: I have a question, Mr. Speaker.

MR. DINN: It is as simple as that, Mr. Speaker. And that is what we are talking about. The decision, by the way, had already been made.

MR. NEARY: Mr. Speaker.

MR. THOMS: Sit down!

MR. SPEAKER: Order, please!

MR. DINN: I therefore could not influence a decision that had already been made.

MR. NEARY: Then why did you write?

MR. DINN: I asked for an explanation to be sent back.

MR. THOMS: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. the member for Grand Bank.

MR. THOMS: Mr. Speaker, I would like to inform the Minister of Labour and Manpower (Mr. Dinn) that once a court makes a decision, far be it from me or the President of the Council (Mr. Marshall) to question a judge as to how or why he made that - we just would not do it because it is not done, any more than it is up to the Minister of Labour, I believe, to-

MR. SPEAKER(Simms): Order, please!

The hon. member should have a question.

MR. THOMS: If I may just lead into my question, Mr. Speaker. What you are doing is you are questioning a decision of the Board.

MR. DINN: No!

SOME HON. MEMBERS: Question! Question!

MR. SPEAKER: Order, please!

MR. THOMS: Is the minister saying that in this letter he is not questioning a decision of the Labour Relations Board? Is he saying that? In view of his comments, 'it seems to me to be tantamount to a denial of natural justice to deny hearing this case,' and 'this matter surely deserves a thorough hearing,' in view of those two statements -

MR. NEARY: Made by the minister, not by Mr. Templeton.

MR. THOMS: - the minister does not believe that he is questioning the decision of a judicial body?

SOME HON. MEMBERS: Oh, oh!

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

Before the hon. the minister answers, I would like to make a comment, a further observation, if I may. There have been some rumblings if the minister is too long with his answers. But I would suggest that if questions are lengthy then that will obviously lead to lengthy answers. So maybe if the questions, especially supplementaries, could be a little bit more brief, they may get briefer answers.

The hon. the Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, there is a sequence of events here. An application was put before the Labour Relations Board and the Labour Relations Board made a decision. The decision having been made -

SOME HON. MEMBERS: Oh, oh!

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

MR. DINN: Mr. Speaker, the only thing I can say about all of this is that with all these people in the Opposition so upset with the Minister of Labour and Manpower, I cannot wait for the next election, Mr. Speaker, because I expect to have about fifteen people running down in Pleasantville and I would love to have any one of the hon. gentlemen opposite just to see what the people in Pleasantville say about it.

SOME HON. MEMBERS: Oh, oh!

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

MR. HANCOCK: Mr. Speaker.

MR. SPEAKER: The hon. the member for St. Mary's -  
The Capes.

MR. HANCOCK: Thank you, Mr. Speaker.

I have a question for the Minister  
of Transportation (Mr. Dawe).

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HANCOCK: I am wondering if at this time,  
Mr. Speaker, around the Province with the bad road conditions and the dust problem, when the minister is going to table the roads programme for this coming year?

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

MR. R. DAWE: Mr. Speaker, as has been the practice for the past two sessions, when the completed Capital Works Project for highroads is finished and all of the final details have been placed, then it will be tabled at that point in time.

MR. D. HANCOCK: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for St. Mary's - The Capes.

MR. D. HANCOCK: Mr. Speaker, in this year's Budget we have \$19 million for improvement and construction. I wonder if the minister could inform the House at this time as to how much of this money has been spent, or is all of the \$19 million going to be spent this year as indicated in the Budget?

MR. SPEAKER: The hon. Minister of Transportation.

MR. R. DAWE: Mr. Speaker, there are certain portions of that \$19 million which are carry-over contracts from programmes that were ongoing last year, and in that case some of that money would have been already committed. I do not know actually if any payments have gone out because the construction season has just started. But there is a certain amount of that money which is already committed.

MR. D. HANCOCK: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for St. Mary's - The Capes.

MR. D. HANCOCK: So, Mr. Speaker, it is only now the people of the Province are realizing that we have not got \$19 million for improvements to roads and construction of new roads this year. Mr. Speaker, that is a bit offensive to say the least. I wonder if the minister could indicate



MR. D. HANCOCK: exactly how much we have for new construction this year?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

The hon. Minister of Transportation.

MR. R. DAWE: Mr. Speaker, all the projects, the total \$19 million will be spent on new projects, work to be done this particular Summer, all \$19 million.

MR. D. HANCOCK: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for St. Mary's - The Capes.

MR. D. HANCOCK: Mr. Speaker, the minister is now contradicting himself. But, Mr. Speaker, I will go on to another question. We will get back to that one later on in a supplementary. Calcium, Mr. Speaker, we have not seen any calcium put on the roads of this Province as of yet. I wonder if the minister could indicate who has the contract, and if the contract has been let, why we have not seen any calcium on the roads so far?

SOME HON. MEMBERS: Oh, oh!

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

That is better.

The hon. Minister of Transportation.

MR. R. DAWE: Mr. Speaker, as I understand it the calcium chloride has been ordered. I am not sure who got the contract. I can certainly find out and have the information for the member.

MR. D. HANCOCK: A final supplementary, Mr. Speaker.

MR. SPEAKER: A final supplementary, the hon. member for St. Mary's - The Capes.

MR. D. HANCOCK: Mr. Speaker, I do not believe some of the answers we are getting to the questions here this morning. It is bad enough that we cannot our roads paved, but when you have dust problems around this Province like we are having in some places -

AN HON. MEMBER: Question, question!

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MR. HANCOCK: I am getting to it, like everyone else.

MR. SPEAKER (Simms): Order, please!

That is debate.

Do you have a supplementary?

MR. D. HANCOCK: Yes, Mr. Speaker, I have a question.

Mr. Speaker, I am sure the minister is aware of the problem that a lot of people in this Province are faced with dust. It is bad enough not to get pavement, Mr. Speaker. But can the minister get the information as soon as he can and let the people of this Province know exactly when they will be getting a bit of calcium if they are not going to get any pavement, Mr. Speaker?

MR. SPEAKER: The hon. Minister of Transportation.

MR. R. DAWE: Yes, Mr. Speaker, I can certainly find that information out for the member and make it available to him this morning.

MR. S. NEARY: Mr. Speaker.

MR. SPEAKER: One final question.

The hon. member for LaPoile.

We have time

for one final question.

MR. S. NEARY: My question is for the Minister of Fisheries (Mr. Morgan). As members of the House know there is a controversy raging -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The Chair cannot hear.

MR. S. NEARY: - in Bonavista over the implementation of the property tax. And the hon. gentleman sent a telex by a very prominent committee in that community a week ago yesterday. The hon. gentleman has not responded to the telex inviting the hon. gentleman

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MR. S. NEARY: to go down to a meeting and bring down the Minister of Municipal Affairs (Mrs. Newhook) to the meeting. Would the hon. gentleman indicate to the House when he is going to reply to that telex and if he will accede to the wishes of his constituents and attend a public meeting in Bonavista on this matter?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): The hon. Minister of Fisheries has about forty-five seconds to reply.

MR. MORGAN: Mr. Speaker, I will say, first of all, that the hon. gentleman's question is out of order because he cannot ask members of the House questions regarding their districts.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!  
The hon. member is absolutely right. The Chair apologizes. We have time for a ten second question.

The hon. member for Terra Nova.  
MR. LUSH: Mr. Speaker, I have a question for the Minister of Transportation (Mr. Dawe), but he is gone.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Any further questions?

MR. WINDSOR: Ask me one about Cat Arm.  
The ten seconds are up.

MR. LUSH: Now I will give a question to the Minister of Labour and Manpower (Mr. Dinn). In view of the fact, Mr. Speaker, that his letter was a neutral letter, completely unbiased and this sort of thing, without prejudice, can the minister indicate to the House what was the purpose of the statement which said, 'any extension of the powers of a union in those circumstances -

MR. SPEAKER: Order, please!

The time for Oral Questions has expired.

May I say also on behalf of hon. members that we have in the gallery visiting with us a group of

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MR. SPEAKER (Simms): eight students from the Bond Street Adult Education Class along with their instructor, Mr. Bill Smith, and they are from the district of St. John's East. Welcome to the gallery.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: Mr. Speaker.

MR. SPEAKER: A point of order, is it?

MR. STIRLING: A point of order.

MR. SPEAKER: A point of order by the -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

A point of order by the hon.

Leader of the Opposition.

MR. STIRLING: Yes, a point of order. Mr. Speaker, the Minister of Labour and Manpower (Mr. Dinn) indicated that he had tabled the letter of April 30. Will he now table the letter of April 30?

MR. SPEAKER: Order, please!

That is not a point of order, that is a question.

o o o

MR. SPEAKER: The hon. Minister of Fisheries.

MR. MORGAN: Mr. Speaker, on a point of privilege of the House.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: A point of privilege by the hon. Minister of Fisheries.

MR. MORGAN: Mr. Speaker, if I can make my point in silence.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MORGAN: Mr. Speaker, the Standing Orders of the House clearly point out that in Question Period, Oral Question Period, the questions are to be asked about urgent matters. And I would like the hon. Speaker in the Chair to determine, to put some kind of definition on urgency of these questions. Because the kind of questioning that we have heard in the last four or five days in this House, in one member's opinion, -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. MORGAN: - Mr. Speaker, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

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

Maybe we could hear very quickly what the hon. member's point of privilege is, then I will hear from the other side, if they wish, and then I will rule on it.

The hon. Minister of Fisheries.

MR. MORGAN: It is rather difficult to make any point with the noises in the House.

Well, Mr. Speaker, surely there has to be some kind of definition placed on urgency, and the Opposition members asking questions -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MORGAN: - who are the only persons that usually ask questions of ministers, in my view, is not taking advantage of the oral questions in a proper way by asking questions which are of an urgent nature to this Province.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MORGAN: Mr. Speaker, I would ask that, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

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MR. SPEAKER (Simms):

Order, please!

MR. MORGAN:

Mr. Speaker, I would ask that this House, through your ruling and your guidance, determine some means of placing some kind of definition on the word 'urgency' as pertains to Question Period.

MR. HODDER:

To the point of privilege,

Mr. Speaker.

MR. SPEAKER (Simms): To the point of privilege, the hon. member for Port au Port.

MR. HODDER: To the point of privilege, Mr. Speaker. I have been here in this House for six years and I have never heard points of privilege come up as they have been coming up from members on the opposite side.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. HODDER: Now, Mr. Speaker, I think perhaps all members should listen to what I am saying, that Beauchesne is very, very clear as to points of privilege, that they ought rarely to come up in the House, that they should be dealt with by a motion, and that a genuine question of privilege is a most serious matter and should be taken seriously by the House.

It also says, Mr. Speaker, that they are enjoyed by individual members because the House cannot perform without the unimpeded use of the members of the House, and that a member of the House should not be impeded by anything, and a matter of privilege should rarely come up.

Now members opposite are using this very serious - this is very serious, Mr. Speaker - that they are using points of privilege in order to get small, narrow, partisan points across and the Minister of Fisheries (Mr. Morgan) must be burning, burning from Question Period.

MR. SPEAKER: Order, please!

MR. HODDER: - if he has to use this particular serious matter in order to get his point across.

MR. SPEAKER: I thank hon. members for their submissions on the point of privilege raised. May I address the point before I give a ruling on it. First of all, it says in the Standing Order, 31 (a), at least a portion of it, "However, Mr. Speaker shall disallow any question which he does not consider urgent or of public importance." Now if the point is



MR. SPEAKER (Simms): to ask the Speaker to try to determine every question that is asked in this House, whether or not it is of public importance I suggest that that is a very, very difficult thing for the Chair to do. However, the Chair is aware of that and if it does arise when the Chair might feel it is necessary to disallow a question under that Standing Order, then it will do so. But I would have to say that at this particular point in time the point of privilege raised by the hon. Minister of Fisheries is of course - well, I cannot say it is not a point of privilege, it is not my role to do that, but there is no prima facie case.

SOME HON. MEMBERS: Hear, hear!

ORDERS OF THE DAY:

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I beg your pardon?

MR. MARSHALL: Motion 5.

Motion, the hon. the Minister of Fisheries to introduce a bill, "An Act To Amend The Fishing Ships(Bounties)Act," carried. (No. 83)

On motion, Bill No. 83 read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Motion 6.

Motion, the hon. Minister of Finance to introduce a bill, "An Act To Amend The Members Of The House Of Assembly Retiring Allowances Act," carried. (Bill No. 84)

On motion, Bill No. 84 read a first time, ordered read a second time on tomorrow.

MR. MARSHALL: Motion 9.

Motion, the hon. Minister of Finance to introduce a bill entitled, "An Act Respecting An Increase Of Certain Pensions," Bill No. 76. Carried.

On motion, Bill No. 76 read a first time ordered read a second time on tomorrow.

Motion, second reading of a bill entitled, "An Act To Amend The Mining And Mineral Rights Tax Act, 1975." Bill No. 10.

MR. SPEAKER (Simms): The last day debate was adjourned by the hon. member for LaPoile who had spoken for about five minutes.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, that means I have twenty-five minutes to go.

Mr. Speaker, the point that I wanted to make in connection with this bill is a very important point. And the bill itself, Mr. Speaker, was introduced by the Minister of Finance (Dr. Collins) as being sort of a routine bill. But the minister did not realize, apparently, the implications of this bill. You see what happened, Mr. Speaker, was that the government, apparently, when they brought in the original bill seven years ago, either had it very poorly drafted, it was either poorly drafted or the government did not know what they wanted at the time. But the original bill allowed mining companies who were exploring for minerals in this Province, to write off certain portions of their expenditure. They were allowed to deduct certain parts of their expenditure from the taxes, they were exempt from the taxes.

Now, the minister told us when he introduced the bill the other day, there was some doubt about the original intention of the act. Well, Mr. Speaker, that is seven years ago, that doubt was created seven years ago. Six years ago, that doubt was created, why was the situation not remedied before? Mining

MR. NEARY: companies which have been carrying on exploration in this Province for the last six years, who thought that certain portions of their expenditure were deductible, are now going to find out that they have to pay taxes on these expenditures. And the real fault in this bill - Mr. Speaker, I have no objection to the government trying to clarify the position in the bill, I have no objection to that at all, but the objectionable part of this bill is making it retroactive to January 1, 1975. And I would submit, Mr. Speaker, if that is not unconstitutional that it is certainly pretty close to being unconstitutional. It is certainly undemocratic and a dangerous precedent. It could only happen, as I said the other day, in nazi Germany, in fascist Italy under Mussuloni, or under Idi Amin. These three, apart from Newfoundland, these are about the only three places in the world where it could happen and I doubt if it could happen in Italy today or Germany, but it could happen under nazism, under fascism, or under Idi Amin and in Newfoundland. Newfoundland is travelling in great company these days - nazism, fascism and Idi Aminism.

Mr. Speaker, the last part of this bill is totally wrong. The minister knows it is wrong. You cannot correct a piece of legislation to remedy a weakness in the legislation, especially a tax bill, Mr. Speaker, and then make it retroactive. If that was allowed to happen, for instance, the government if they wanted to could go after the member for St. John's Centre (Dr. McNicholas) for taxes on all the land that he has in this Province. They could say, 'We are not satisfied with the taxes that the hon. gentleman has been paying on that land that he has bought up, that he speculated on.' They could say, 'We are not satisfied with the taxes on the hon. gentleman's land.'

DR. MCNICHOLAS:

Jealousy will not get you

anywhere.

MR. NEARY: No, I am not jealous, Mr. Speaker, but they could say this. The hon. gentleman should pay attention to what I am saying, that the Minister of Finance (Dr. Collins) could say, 'We are not satisfied with the taxes that the hon. the member for St. John's Centre (Dr. McNicholas) is paying on the huge slices of land that he has hoarded in and around St. John's, so we are going to change the act and we are going to charge the member more taxes, and we are going to make it retroactive for six years.' Would the hon. gentleman think that is fair?

AN HON. MEMBER: (Inaudible).

MR. NEARY: No, he does not. He does not think it is fair any more than the mining companies in this country will think it is fair. What will happen when reports of this bill, of the way mining companies are treated in this Province - what happens when the word goes out across Canada, when the mining magazines and the mining journals pick up this piece of legislation and report it to people who are interested in exploring for minerals in this Province? Will it not frighten them away?

DR. COLLINS: Who are you referring to?

MR. NEARY: It could be anybody, I do not know. I am not referring to anybody specific.

DR. COLLINS: Who are you defending? Which mining companies do you have in mind?

MR. NEARY: Who am I defending? I am defending the mining companies. I hope I am. Wabush Mines, the Iron Ore Company of Canada, the people who are exploring for potash down in St. George's.

DR. COLLINS: (Inaudible).

MR. NEARY: No, but it is the principle of the bill we are debating, is it not?

MR. MOORES: The principle of the bill (inaudible) not fair.

MR. NEARY: It is certainly not.

MR. NEARY: Mr. Speaker, if the hon. gentleman has information for the House that he is not giving the House, I would submit that he provide the House with the information. This is second reading and we are arguing a principle of a bill. And the principle of this bill is that the government is changing, amending, a piece of legislation that was passed in this House six or seven years ago and then making it retroactive. And when that word goes out to mining companies across Canada, the companies that may have intended to come into this Province to carry out exploration and development of our mineral resources, they will certainly back away when they see this kind of a bill being passed in this House, Mr. Speaker.

As I say, what the hon. gentleman should have done in order to remedy a mistake made by the hon. gentleman's department or a mistake made in drafting, or if the bill was not clear enough - what they should have done was they should have brought in the amendment and left out Clause 2. I do not see anything wrong with that. But there is a lot wrong with bringing in an amendment now and penalizing all these mining companies that may have written off portions of their expenditure under the assumption that they were entitled to do so under the original act. That is what I am objecting to, Mr. Speaker, and I am not defending anybody. I do not know what the hon. gentleman is insinuating over there. Perhaps he could tell the House.

But there is a very grave principle involved in this, Mr. Speaker. The bill is unconstitutional. I do not know if it was challenged in the Supreme Court of Canada, but whoever challenged it would win the case. I know if I were a mining company and I had been doing business in this Province - and I do not care who it is, Wabush Mines, Iron Ore Company of Canada, Riocanex, Rioalga,

MR. NEARY: International Nickel, or the minister's buddy who just skipped out of the Province, the minister's buddy who just took off to his big estate down in Florida and left his creditors in Newfoundland holding the bag; the gentleman who was supposed to be out in Trinity Bay mining barite stuck one creditor in that area, I am told, for over \$200,000. The minister is not concerned about that - Tyler Mining - a gentleman who came in here and conned the Newfoundland people and conned the Newfoundland Government and has

MR. NEARY: now flown the coop and left the Newfoundlander creditors holding the bag. We have not heard very much about that shyster, the hon. gentleman's buddy.

DR. COLLINS: (Inaudible)

MR. NEARY: I beg your pardon? The buddy of the ministers. I do not know but they were wined and dined at his \$600,000 estate in Florida. If they did not go they were certainly invited, and now he is gone. He came in here one day last week on a jet. I do not know who was foolish enough to rent him or lease him a jet. Flew into St. John's Airport about a week or ten days ago on a jet, kept the jet warmed up, had the pilot stand by, rushed in, saw his lawyer, got back aboard the jet and got out of the country before his creditors could get their hands on him.

Mr. Speaker, no wonder we have not seen any new mines open in this Province in the last ten years, since we have had a Tory government in Newfoundland. Is it any wonder we have not seen any new mines opened with this kind of legislation and with this kind of a shyster that we have seen skip out and leave the creditors of this Province holding the bag? Mining companies will have nothing to do with this Province if we continue to bring in this kind of regressive legislation.

Now, Mr. Speaker, there is not much else I can say about it I suppose. It looks to me like the hon. Minister of Finance (Dr. Collins) is digging in. He is not going to change his mind. He is not going to amend this bill and take out clause 2. If the hon. gentleman would only hear me for a minute. I have no objections to amending the original legislation, no objection at all, but I think the hon. gentleman should reconsider clause 2 because there are probably, I would gather from the hon. gentleman's

MR. NEARY: remarks, mining companies who thought they were entitled to exemptions and certain write-offs and now, six years later, they find they are not. After spending the money, they find they are not entitled to these exemptions. That is wrong, Mr. Speaker, it is wrong in principle and will only discourage mining companies from coming into Newfoundland to do exploration. They cannot trust the government. That is what they say. If I was a mining operator I would say you cannot trust this crowd. They make a deal one day and they change their minds the next. You cannot trust them. It is like a banana republic. Why you would be better of doing business in South America, or Central America than you would with this crowd here. At least you know what you are dealing with in South America. You are dealing with a crowd who demand pay-offs. They say, yes, we want our pay-off, we want our pesos under the table. But once you make a deal with them it is a deal. They will honour their deal. But in this Province they do not honour their deals. A deal is a deal. But in Newfoundland, Mr. Speaker, we no longer can claim the reputation of being honourable people, of living up to an agreement, of living up to our deals and that is probably one of the reasons why we have not seen more exploration and more mining development in this Province in the last ten years. Not one industry has started in Newfoundland in ten years of Toryism and not one mine has been opened. The one in Daniel's Harbour, which is the closest the hon. gentlemen could claim credit for, that is the closest, all the exploration and all the permits and all the development plans and so forth, were all in place before the government changed. That mine in Daniel's Harbour was the result of a Liberal policy and Liberal philosophy and had nothing to do with the philosophy and the policy of the hon. gentlemen. They cannot point their finger at one new mine that started in this Province since



MR. NEARY: the Tories took over ten years ago. Down in my own district they have been searching for gold and lead and zinc and copper and silver and potash. What will these companies say, Mr. Speaker? The companies who are doing the exploration, what will they say if they see bills like this being put through our House of Assembly? They will say you cannot trust this crowd. If we go out and find potash or we find oil or we find gold or silver or lead or zinc or copper in LaPoile Bay, or in Burnt Island Pond, or in St. Georges, what will they do with us? Will they nationalize it? Will they tell us that the write-offs we had, or we thought we had we do not now have? Is that what they will do, Mr. Speaker? It seems that way so I am not at all

MR. NEARY: as a matter of fact, the government is within its right to amend the legislation, to try to clarify their position or to clarify a section of the bill or to patch up inferior or poor drafting of the bill on the part of the legal draftsman, but, Mr. Speaker, I would submit that Clause (2) seems to me to be a bit serious, very serious, and I will read it just for the benefit of hon. members again, Clause (2) says "This clause would provide that the amendment would come into force on January 1, 1975." And if you can do that with the mining tax, with the mineral tax, Mr. Speaker, you can do it with any group, any company, any organization, or any individual in this Province, Mr. Speaker. And I am against it and I think that hon. members of this House should think very carefully before they vote for that clause of that bill.

MR. SPEAKER (Butt): Is it the pleasure of the House that the said bill be now read a second time?

The hon. Minister of Finance, if he speaks now he closes the debate on the bill.

The hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, I think only one point has come up in regard to this and that was the point brought up by the hon. member for LaPoile (Mr. Neary), and I will deal with that in just a moment. But just let me make this remark first, that in the last several years the exploration activity in this Province has been at an all time high in regard to past years, since Confederation. There has been more claim staking in the last several years than there was in decades before.

So for the hon. member to say that mining companies and prospectors and people interesting in the mining industry are taking a dusty view of this Province is, of course the exact opposite to the truth. The truth is that the mining industry is looking on this Province very favourably, It knows that there are a lot of natural resources in both areas of

DR. COLLINS: this Province, both the Island area and the Labrador area and they are taking steps to bring these resources into operation. So it is not correct to say that the mining industry is taking a negative view of this Province. It is correct to say that the mining industry is taking a very positive view of this Province.

Now, Mr. Speaker, on the point that the member brings up that this is a dastardly act, that this is a nazi move, that this is a dictatorial measure and all that sort of thing, that, of course, is a lot of hogwash. It is a lot of hot air. There is no truth to it whatever. The point is that in tax matters it is understood by everyone that the revenues, the expenditures in a particular year are brought into the tax question, unless a tax measure specifically states otherwise. And I am sure hon. members will understand that in the Income Tax Act it is specifically stated that you can take into consideration, if you have business losses, for instance, you can take into consideration prior years and you can bring your losses forward one year. But that is specifically in the act, and the reason why it is specifically in the act is that taxation measures relate to a fiscal year. What you expend in a certain year to gain revenues, to gain income, you can put against the revenues in that year. That is normal, ordinary, commoner, garden type understanding in regard to the tax measures.

When this act was brought in in 1975, that is the way the wording went, and that was like all tax measures. Now, a few companies have since then brought into question whether they should be allowed to take in prior years' expenditures against current revenues. In other words, they will bring up the point that the act - they are implying that the act should have specifically said that we should have been

DR. COLLINS:                    allowed to take in prior expenditures.  
The act did not state that.    And to nail home that point we  
are bringing in this amendment and it is nothing new, it is  
not adding one single new thing to the act, it is merely a  
clarification of the original wording of the act just to remove  
any question whatever that there was ever any intent of  
bringing in a specific mention that prior expenditures would  
be allowed.

MR. MOORES:                    Why does the minister (inaudible)?

DR. COLLINS:

I am finishing a point on this.

Now, the other point that is necessary to bring out here is that the Taxation Division of government has persistently stated that ever since the act came in in 1975 - as this act was being applied it was persistent on the part of government as saying, this year's expenditures, this year's revenue, the net amount is the amount to which tax would be applied. There has been no inconsistency throughout the years. There has never been - this issue has never come to judicial attention. There has been an attempt by a few companies to have the officials in the Taxation Division take the other view. It has never been a case, as the hon. member implied, where they had their taxes written off and so on and so forth and now we are trying to grab those taxes. It has been a persistent point put forward, as was the meaning of the act in the first instance, as is the meaning of all taxation acts, that your expenditures in a fiscal year, or in a taxation year will be applied against your income or revenues in that particular year and the net amount is taxable. So there is nothing strange, weird or wonderful about it.

Mr. Speaker, I did do - because this bill was introduced yesterday - I did do a little research, actually, and I think I have it here somewhere. Talking about retroactivity; in 1979, the "Increase Of Pensions Act" amendment was brought in - in 1979 - which had retroactive effect to 1961. In 1980 the "Public Service Pensions Act," amendment was brought in which had retroactive effect back to 1977. And there were other retroactivities. So it is not unusual, where the circumstances make it logical, for retroactivity to come in. There is nothing strange, nothing weird, nothing weird or wonderful about it, no precedent setting. Precedents are in the Statutes of this Province. Indeed, Mr. Speaker, "The Mineral And Rights Tax Act", itself, was amended in 1976 which had retroactive effect back to 1975. So retroactivity is not

DR. COLLINS: a new measure where these circumstances apply. The hon. member is quite correct in saying that a government would never put in a tax that had significant retroactive effect. Although I must say that when we bring down our budget each year, we introduce the budget, the budget is passed after a number of months but the tax is being collected from the time the measure is introduced into the House. So in that respect there is retroactivity to taxation. But it would be unwise to, say, bring in a tax in one year that had an effect as of five years ago. And that is not the intent here whatever. There is nothing new brought into this act, it is merely a clarification of the wording of the act as it was originally introduced in 1975.

MR. STIRLING: Would the minister permit a question?

DR. COLLINS: Surely.

MR. STIRLING: Just for clarification, since the minister did not clarify it in his opening comments on the bill, and he may have clarified it since, would you give an indication of the amount of money that we are talking about? In fact how much - these companies who have disputed it and tried to bring forward - how many dollars are we talking about? Are we talking about a substantial amount? Are we talking about \$1,000? Are we talking about \$100,000 or \$1 million or several million? And have these companies been informed of the action that you are taking, have they now accepted the fact that this is reasonable? Could you maybe elaborate on that a bit? Let us know the size of the problem we are dealing with?

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

DR. COLLINS: Mr. Speaker, to answer the last part first, yes, the companies had been informed, and as I mentioned, they had been informed right from the time this act was introduced that this was the way that government was inter-

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DR. COLLINS:                   preting this act which was the consistent way all taxation acts are interpreted, i.e., expenditures and revenues in a particular taxation year are offset one against the other and the net is the taxed amount.

                  The companies were left in no doubt that this is the way the government regarded this taxation measure like it regards all taxation measures. There is no doubt in their minds on that.

                  As to the amounts involved, it is a little difficult to say because some

DR. J. COLLINS: companies have been mining in this Province, you know, from certainly the fifties. And if one put the peculiar interpretation on this Act that some companies are trying to put on it, shall we say, that all their expenditures, going back to the fifties or even the forties or thirties, perhaps, would now be against revenues coming in from 1975, 1976, 1977, 1978 type of thing, this Act could have no value. I mean, it would take decades before their expenditures from years and years gone by would be offset by the revenues coming in and probably it would be twenty years before there would be any revenues coming from this Act. That is how ridiculous it would be. So it is very difficult to say what amounts would be involved if that interpretation was put on the Act.

I can say this, though, that the tax we raised under this Act in 1978/79, the total amount of tax under this Act - this is from all companies who have to pay mining or mineral rights tax - was \$16 million. And in 1980/81 the total amount of tax raised under this particular statute was \$27 million. Now, that does not answer the hon. Leader of the Opposition's (Mr. Stirling) question directly because many of these taxes would not be brought into question if that peculiar interpretation of the Act that I mentioned was allowed. There would only be a very small proportion. I do not know what proportion. It would be very difficult to say.

MR. L. STIRLING: Mr. Speaker.

MR. SPEAKER (Butt): The hon. Leader of the Opposition.



MR. L. STIRLING: Mr. Speaker, I have a further question to help, you know, pinpoint this. Are we talking about a situation in which companies have actually done that calculation and therefore reduced the amount of their tax that they have paid by their calculation? If this bill goes through, are you anticipating collecting any back money or just closing off the doors so that they will not attempt it in the future? Have they held back any tax that you are aware of? Do you expect that we will be able to collect additional tax or, in fact, are you just closing the door?

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

DR. J. COLLINS: My understanding, Mr. Speaker, is that because of the interpretation that those few mining companies have raised, that they have not remitted tax, that the Taxation Division has told them right from 1975 onward, 'Your tax should be different from what you have put in in your return because you have interpreted the Act as reading this way when we are saying that this Act - the interpretation should be, the interpretation put on this Act, as on all taxation acts, that there is no retro-activity in terms of allowance of expenditures.' So that they have not rendered the tax that we have persistently told them they are not rendering and that they are still owing tax. This will not make them owe any more tax. We told them all along that they are owing tax. But this will just make sure that they will not continually bring up this point because, not only will it be implicit in the Act as it is implicit in all taxation acts, that the expenditures and revenues for a taxation year are the only ones to be considered, not only will it be implicit, it will be explicit to say that that is the way the taxation measure should be applied.

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Tape No. 1965

DW - 3

MR. L. STIRLING: One final question, Mr. Speaker,  
by way of clarification. In that case -

MR. SPEAKER (Butt): One final question, the hon.  
Leader of the Opposition.

MR. L. STIRLING: Thank you.

I recognize all of this is being done with the co-operation of the minister allowing these questions, and I thank him for it. In that case, then, your officials obviously have calculated what the underpayment has been by these companies for the last five years. And I do not wish to hold up the bill at this stage, but I would like to find out from the minister whether or not any companies have indicated to him that if it is interpreted - if the interpretation is as the new Act, that it will seriously affect any of those companies, will they have to close their operations? Will they have to go out of business? Will they have to lay off any employees? And that calculation of the specifics that he mentioned, certainly has been done by the officials, would he give an indication to the House before the committee stage on this bill that he will table what the difference is between what the companies remitted and what they should have remitted based on this Act which will then be retroactive? I am sure that the officials have done that calculation and I believe - although you may not want to put the names of the companies in - that in total we should know, before the

MR. STIRLING: Committee deals with this, what those amounts are.

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

DR. COLLINS: Mr. Speaker, I do not have those figures at hand. I think they can be gotten and I certainly will bring forward at the Committee stage the information that one can - as the hon. the Leader of the Opposition himself understands, and has indicated he understands, one has to be a bit careful when you are dealing with taxation measures.

MR. STIRLING: Right.

DR. COLLINS: These are confidential matters so that the individual should not be - and the statutes prevent us from making this public knowledge. There is a right of personal privacy and confidentiality in this, so as long as it does not violate that, the amounts, I think, the total amounts can be brought in.

I move second reading.

On motion, a bill, "An Act To Amend The Mining And Mineral Rights Tax Act, 1975," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 10).

Motion, second reading of a bill, "An Act Respecting The Garnishment Against The Remuneration Of Public Officials," (Bill No. 9).

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

DR. COLLINS: Mr. Speaker, this bill has been on the Order Paper for some time and it never seemed to quite reach the stage of enactment. I do not think there was any particular reason for that. I think it was not looked upon as terribly important in relation to other matters. I think all bills are important. But that was the reason why it was laid aside. However, it is of some importance to certain people, because it relates to the

DR. COLLINS: fact that it removes an immunity that public servants have in terms of garnishment proceedings that other workers do not have. In other words, if one falls behind in one's debts to suppliers, for instance, there is a means whereby the supplier can get a court order which would mean that the person's wages or salary could be garnished to the extent that those debts will be paid off after a certain period of time. Now, most people in the work force in the Province come under that possibility. There is an immunity in our statutes towards public servants and this is to remove that immunity. It really is an anomaly.

It also relates, not only to public servants employed by government itself, but also employed by certain Crown agencies, most Crown agencies of the public service.

I would point out, Mr. Speaker, that this does not apply to pensions. It does not apply to public servants who are on pension. They will not be subject to garnishment if they are on pension, except in two regards which are already in force, and that is if debts are owed to the Province itself or if there is a court order obtained in terms of bankruptcy, those measures are all in effect. But pensions are not affected by this particular amendment.

Also, Mr. Speaker, I think it is worth pointing out that this bill will not permit a public servant to be dismissed from his post by reason of garnishment proceedings. It is not the intent to bring in a penalty of that nature. And salaries cannot be garnished to the extent that they would cause unreasonable hardship. Under the Attachment of Wages Act there is a certain amount of income which is untouchable in terms of garnishment and that will stay in effect. It will also be an amount that will permit the person to pay his taxes and it will be an amount that will permit the person to have reasonable

DR. COLLINS: deductions, that the nature of these deductions are such as are acceptable to the Minister of Finance. There is ministerial discretion there. So if someone has deductions say for an elderly relative or whatever, that will not be subject to this garnishment arrangement.

So this bill really will apply to the public service, in government service itself and in Crown agencies. It will bring them in line with garnishment proceedings or garnishment liability, such that most people in the work force are already subject to, and there are certain safeguards there

DR. COLLINS: so that the pensions will not be affected and that certain legitimate living expenses, shall we say, of the public servant are protected.

So with those words, Mr. Speaker,  
I move second reading.

MR. SPEAKER (Butt): The hon. member for Carbonear.

MR. MOORES: Mr. Speaker, I would just like a few words- certainly I have no reluctance in supporting this bill. I think the intent of the bill is a responsible one and should be acknowledged as such. However, I would like to point out, Mr. Speaker, a reservation that I have always had, particularly as it relates to the garnishment of wages of members of the House of Assembly and ministers of the Crown. I have no problem in admitting that we should be no more or less than other wage earners in this Province and we should be treated the same way by garnishment procedures, Attachment Of Wages Acts, etc. as any other wage earner in this Province, but the fact of the matter is, Mr. Speaker, that this bill and bills previous to it have taken no steps to protect public officials, particularly elected public officials in this Legislature, from the negative ramifications of what happens when we are taken as equal wage earners, brought into court, our wages are garnished and then the boys in the press gallery start to crucify us. And anytime in the past thirty years that an elected official has gotten into any kind of trouble like this, legitimate trouble if you like, where we have run into some financial difficulties with business or with our private lives, that gives the press of the Province the green light to disclose, to rake our private lives out into the public for all to see, bare them, without any type of responsibility or without any type of discretion. And I emphasize that I am not against the fact that we should be treated equally as wage earners, that my salary or

MR. MOORES: any member of this House of Assembly's salary is subject to the law if he is legally in debt, but what I am afraid of, and I think every member of this House should have reservations about, is that which we cannot control or will not control and that is some vengeful member of the press gallery wanting to decapitate us, to castrate us, to crucify us publicly because we happen to owe money to some creditor, to the Canada Student Loan Authority or something like that. Now, you say, is this a presumption on my part? No, I have had some difficulty with the press in this Province, I readily admit, with my private life, and including my debt to Canada Student Loan Authority which I am quite proud to say that I owe. And I think every good citizen of this Province who has parents who are unable to pay for their education should be proud to say that he borrowed under the Canada Student Loan Authority to obtain his education.

MR. LUSH: The hon. member for St. John's North (Mr. Carter) is beaming and gleaming when you say you owe money. He would not understand that. He operates by cash, he does not operate by credit.

MR. MOORES: But, Mr. Speaker, I do think that this is a legitimate reservation and I think that some action must be taken by government or some consideration must be taken by government when passing this legislation to protect us, to make us equal, totally equal, completely equal. If any other wage earner in this Province had his wages garnished, garnisheed in court, that would be it, there would be no write ups in papers, there would be no headlines 'Carbonear MHA has wages garnished', nothing of the sort. I mean, it just would be passed by as an ordinary routine procedure in court and left at that. But

MR. MOORES: I know and I have experienced, as have a number of members in this hon. House, that about the most irresponsible thing in society right now is the media, when it comes to covering the private life of an elected official of this Legislature, and I would ask the minister to take careful consideration to bringing in some protection for us.

Thank you.

MR. LUSH: I am glad I started paying off my bills.

MR. SPEAKER (Butt): If the minister speaks now he closes the debate.

DR. COLLINS: Mr. Speaker, just a brief word. I have sympathy with the point of view put forward by the hon. member for Carbonear. I think, it tends unfortunately, if you are in public life, I suppose, that the slightest little thing that in other instances might be ignored or condoned or perhaps taken as amusing, if you are in public life to be blown up out of proportion and one is pilloried for that when there is no cause for so doing. I do not know what the remedy is. I have full sympathy for it. I think that it is irresponsible for the press to take that negative attitude towards people in public life. I suppose one has to recognize that people tend to be a bit curious about people in public life as opposed to the private citizen and to that extent, I suppose, it is human nature. But on the other hand, I think there are limits beyond which that curiosity should not be pandered to. I agree with the hon. member that sometimes the press is a bit irresponsible in that regard. What to do about it I have no idea but I certainly will mention it to my hon. colleague the Minister of Justice (Mr. Ottenheimer) and see if there is anything that can be done. I think there probably are ways. I think there are matters that do come up in courts and



DR. COLLINS: . . . things that are kept from the glare of public view. It is not that they are done in a hidden way but they are just kept out of the glare of publicity. So possibly there may be something that may be done.

Thank you

On motion, a bill, "An Act Respecting The Garnishment Against The Remuneration Of Public Officials," read a second time, ordered referred to a Committee of the Whole House tomorrow. (Bill No. 9)

MR. SPEAKER (Baird): Order 19. Bill No. 7

"An Act To Amend The Local School Tax Act".

MR. SPEAKER (Baird):

The hon. Minister of Finance.

DR. COLLINS:

Mr. Speaker, this bill is

Bill No. 7, entitled "An Act To Amend The Local School Tax Act." and I introduce it on behalf of my hon. colleague, the Minister of Education (Ms. Verge), who is temporarily out of the House, but I expect that she will be here to enter into the debate on the bill.

Mr. Speaker, there are explanatory notes attached to this bill which lay out in some detail the intent of the various clauses in the bill. And the first clause will remove from the Cabinet the right to appoint a chairman, or vice-chairman to the School Tax Authority. That is the first item in the bill. The second part of that first clause will provide for the appointment of alternate members to serve on School Tax Authorities.

The second clause of the bill will provide that the chairman and vice-chairman of the School Tax Authority be elected from the members of the Authority and of itself. And I think that that is self-evidently a good move, and it is related to the fact that Cabinet is relinquishing its right to so do.

The third clause will just merely redefine the meaning of "real property" and of "building". And those definitions will then correspond with the definitions in The Municipalities Act.

The fourth clause will exempt certain holdings, particularly farmland and woodlots, from school tax.

The fifth clause will alter the method of taxing persons who reside in more than one tax area during a year and this is a problem that frequently arises. It alters that method and makes it more equitable.

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Tape No. 1960

NM - 2

DR. COLLINS:

I am sure that the hon. Minister of Education (Ms. Verge), when she enters into debate on this bill will give particular consideration, and particular explanation of that clause.

Clause six will alter the liability for tax on property subject to supplementary assessment in correspondence with a similar provision in the Municipalities Act.

And the final one will permit regulations to have, again, a retroactive effect to the

DR. J. COLLINS: beginning of the fiscal year, to the financial year of the School Tax Authority.

So I think those particular provisions of the Act are all good, they are self-explanatory really. I move second reading.

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

MR. F. ROWE: Mr. Speaker, I am sorry the hon. Minister of Education (Ms. Verge) is not here to introduce this particular bill, "An Act To Amend The Local School Tax Act" so that we could a little bit more of an explanation of the changes that are to take place in these five clauses.

I think, Mr. Speaker, that the changes in clauses 1(1) and 1(2) are good changes. If people are going to be responsible for collecting taxes in a particular jurisdiction, I think they rightfully should be elected before they do so and not appointed by anybody such as the Lieutenant-Governor in Council. Now, that is, Sir, a good amendment.

Clause 4, however, Mr. Speaker, only goes part of the way. This amendment would exempt farmland and woodland from school taxes. Now, Mr. Speaker, in rural Newfoundland, and in some pretty urban centres, we do have reasonably large pieces of land owned by individuals because it has been more or less passed down to them. And these individuals are not necessarily in a high socio-economic class, they were just lucky enough to be able to get land which they, in fact, can use for farming, as is suggested here, or can be used for virtually anything else. It could be used as collateral for their own borrowings or just security for their own family so that later

MR. F. ROWE: on their children and their grandchildren can, in fact, occupy and build on that particular piece of land. So I would like for the minister, when she speaks to the bill with respect to Clause 4 - I am suggesting it is a move in the right direction, Mr. Speaker. It is certainly a move in the right direction. But what I was pointing out to the Speaker was that there are other pieces of land that individuals may come by that would not necessarily be used for farmland or for woodland purposes. It might be, for example, access to the sea, if they have fishing boats and that sort of thing, it might be land that people inherit, and I will repeat it for the benefit of the minister, it might be valuable land inherited by individuals who are not in a high socio-economic class, who are holding onto this land for security purposes or for collateral against loans, or what have you, or they might be simply saving the land up for the use of their offspring who will, later on down the road, be looking for

MR. F. ROWE:

land to live on and build on, and I am wondering if that kind of land that is not designated particularly for farming - or when they say woodland I would assume, Mr. Speaker, woodland means that the wood is being cut or sawn. I mean, if you have just inherited twenty-five acres of wooded land, can that wood just sit there or does that wood have to be -

MR. CARTER: Would that be Liberal wood or P.C. wood?

MR. F. ROWE: Well, I do not think it matters much, Mr. Speaker, whether it is Liberal wood. I am sure the Liberal wood would be standing much taller than the P.C. wood, if the hon. member -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Baird): Order, please!

MR. F. ROWE: - is trying to differentiate between the stands of wood. I can assure him that the - well, I will not get carried away, Mr. Speaker.

Section 5 is a good amendment.

This was always a problem, Mr. Speaker, where a person had residences, a country place, or two homes in two different jurisdictions and ended up having to cough up for both. Now that person during any financial year - 'When a person resides during any financial year, for three months or longer in more than one Tax area where the poll tax is imposed on a section 29, he shall pay only one poll tax and he shall make payment thereof to the Authority in the Tax Area where he was in longest resident.' So, presumably, all you have to do is reside in a particular area for more than three months and at the one place.

What happens if you are living in an area six months and six months respectively, for example? If I could just have an exchange with the minister there

MR. F. ROWE: that is explanatory note 5 referring to Section 31 (5). I do not know if the minister would like to wait until she speaks to the bill. But if a person happens to be residing, like some hon. members in this House, an even split of six months per year, say, on the West Coast and six months on the East Coast, does that mean that that individual would have to pay to both Tax Authorities? Well, Mr. Speaker, I do not think that particular -

MS VERGE: Half.

MR. F. ROWE: Half of each? Okay, if it is going to be apportioned, I suppose, you know, that is fair. But what I was concerned about is if a person who is moving around a fair lot - as the hon. the minister herself has to do, she is probably spending half and half, I do not know - if she had to pay a double tax, the full tax in both jurisdictions, I think it is quite unfair to her and any other individuals who are caught in the same boat.

MS VERGE: (Inaudible) according to (inaudible).

MR. F. ROWE: Right.

Another thing, Mr. Speaker, that I might relate to here, while I am on my feet, is that there are situations in families where you have an awful lot of people who are working living at home. I come across hundreds of such family units in my own district, and I am sure my district is not unique to other districts in the Province. But I do know of cases where a father

MR. F. ROWE:

and a mother might have two or three daughters and sons living at home, they themselves are out there eking out a living, usually at a low salary, very fortunate indeed to get a job at all but they are employed, but the wages are such that these individuals as such cannot afford to build a home of their own or gain access to land for any number of reasons, you know, the Crown Lands Act or certainly bylaws in a community, or just lacking finances. We find that an awful lot of working singles and working couples and working couples with children, are stuck in their mother-in-law's or father-in-law's or father's and mother's homes. I can think of examples where the father and the mother and two daughters and three sons, Sir, are living at home, and the five offspring and the two parents, because their mother happens to be working, have to pay school taxes because, of course, the taxes are deducted as source.

Now, Mr. Speaker, this is where and why we, on this side, have argued for the last nine and a half years against the basic principle of school taxes, period. We think that the way that school taxes are collected and administered - well, collected certainly - is a regressive tax in the sense that school taxes are not based at all upon a person's ability to pay. I think that is easily recognizable without having to go into the details of it. I know there is a staggered scale of taxes depending on the salary you are making, but once you get above that - a person, for instance, making \$20,000 a year has to pay exactly the same school tax as a person making \$120,000 a year. And if a person making \$100,000 a year does not have individuals working and living in his or her home, as the case was that I suggested earlier, he gets hit for the same seventy-five dollar poll tax within a certain jurisdiction. And you got a neighbour there making \$20,000 and a son making \$6,000 and a daughter making \$11,000 and you just go up



MR. ROWE: above that top line there, the threshold there where you have to pay your taxes, and you could have seven people, making a quarter as much as one person across the street, paying seven times as much in a poll tax. Now I use that as a bit of an extreme example just in order to prove the point but it does exist.

Now, I have always felt, Mr. Speaker - well, I have not always felt, we advocated in this House many, many times, that school taxes should be abolished. We have called for the total abolition of poll taxes, not just during election campaigns, Mr. Speaker, to try to gain a few votes or anything like that, but consistently and persistently since 1972. Since I started off that particular year as spokesman for Education, we developed a document, which was really a synopsis with our own ideas of all of the objections against School Tax Authorities in this Province, written by well-meaning people, educators, financiers, and this sort of a thing. And there is no way that the School Tax Authority is equitable and is fair on an individual basis, nor is it fair on a regional or aerial or provincial basis. Now what I mean by that, Mr. Speaker, is simply this; I have already given the example of individual discriminations, if you will, where you have a group of low wage earners, all huddled in the same house, having to cough up, each one of them because they are employed, their, say, seventy-five per cent poll tax, and a more affluent person or a person getting a higher wage, without that situation, has only to cough up one poll tax himself.

In other words, as far as the individual is concerned, Mr. Speaker, as far as the individual is concerned, the school tax is not based upon the ability to pay. It does not approach anywhere near, say, an income tax kind of a situation. Now, everybody realizes that income tax, the income tax, whether it is provincial or federal, is the fairest mode of taxation the world has ever devised. We do not

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Tape No. 1973

NM - 2

MR. F. ROWE:                    like it. If I happen to  
be making \$100,000 a year, I do not like the chunk that is  
going to be taken out. But it is based on a fair formula,

MR. F. ROWE: it is based on the amount that I am capable of earning and the more I earn the more taxes I pay. That is not true of school taxes. It is completely, almost, almost completely unrelated at all to a person's ability to pay except for the staggered guidelines under which you do not have to pay or if you are making a certain amount of money you only have to pay one-third or two-thirds. I cannot remember the exact schedule now, because I have not seen it for quite some time.

But that is a real crime against individuals, particularly when they are altogether. So it is not based on one's ability to pay and this is why, Mr. Speaker, we have called for and we continue to call for an abolition of the school taxes. We have nothing whatsoever against the individuals and the persons serving on School Tax Authorities. They are trying to do a job of collecting money for their school boards and they are actually doing the job for the government. This is another case where groups or individuals or authorities are asked to carry the job for the government. Because, Mr. Speaker, we do not have - correct me if I am wrong, Mr. Speaker - a hospital tax, do we? We do not have a medical tax. We do not have a fisheries tax.

MR. MOORES: Or a penitentiary tax.

MR. F. ROWE: We do not have a justice or a penitentiary tax. We do not have a Department of Highways tax - or Transportation and Communications tax to pay for the highways in our Province.

MR. E. HISCOCK: Labour safety.

MR. ROWE: We do not have a Labour tax to pay for labour safety. We hardly have a tax, Mr. Speaker, at all for the provision of any of the social services, putting in with the social services education, so why do we have a school tax?

Now, the minister will reply and say that, you know, school boards would like to have a little bit to play in the raising of money for schools. You know, there are methods, ways and means of raising money for school boards. I agree with it but I do not feel it should be in the area of taxes and here is why, Mr. Speaker. If you take an area such as Gander, if you take an area such as Grand Falls, if you take an area such as Corner Brook, if you take any area that has a fairly broad, steady,

MR. F. B. ROWE: basic, economic foundation, such as we hope Stephenville is returning to, if you have a place like Labrador City and Wabush, if you have any of these kinds of areas, sections of St. John's, if you have a rich community, or you have a school tax jurisdiction in which you have a number of rich communities, or you have a number industries there that can throw in a nice hefty tax, if you have these kinds of things, Mr. Speaker, you got the most terrible kind of discrimination, the most dastardly kind of inequities that can ever exist.

And I will take an example, Mr. Speaker: For example, when I had the honour of representing St. Barbe North on the Northwest Coast for some four years, until they took the seat away from me, took two Liberal seats and a half Liberal seat and carved it up in order to make one Liberal seat and one P.C. seat - anyway, I was not about to take on the Leader of the Opposition at the time for his seat so I was transplanted to another district.

MR. MARSHALL: Resettled.

MR. F. ROWE: I was resettled. That is the kind of resettlement I did not like. I could not even get a grant for it, Mr. Speaker. But the point is, when I represented St. Barbe North I saw some of the most terrible school conditions that one could ever imagine.

MR. HISCOCK: Southern Labrador.

MR. F. ROWE: And Southern Labrador, which I had the hon. of visiting on a number of occasions -

MR. HISCOCK: The minister said they are substandard.

MR. F. ROWE: - substandard.

MR. HISCOCK: But she will not give us any -

MR. F. ROWE: Now, how in the name of heavens are areas like that going to get out of the situation that they are

MR. F. ROWE: in -

MR. WARREN: They are not.

MR. F. ROWE: - using school taxes? Because, as it happens, most of these areas we are talking about are widely spread out, do not have a solid economic base, very few industries -

MR. HANCOCK: Do not make no faces at him.

MR. F. ROWE: - and consequently a place like the Grand Falls area -

MR. HANCOCK: Every time they get money they get mad (Inaudible).

MR. SPEAKER (Baird): Order, please!

MR. F. ROWE: - the Grand Falls area can collect far in excess in school taxes than a place like the St. Barbe area could, the St. Barbe Coast could.

MR. HISCOCK: Did the member for St. John's North pay his school tax yet?

MR. F. ROWE: You have greater numbers of people who will not pay, or cannot afford to pay the school taxes, so you have a tremendous percentage of defaults in these less fortunate areas. So, consequently, what we are doing here with the school tax principle, in the urge to try to get some more monies for school boards or a school board -

MR. F. ROWE:

what we have is a broadening and a deepening and an intensification of the already existing inequities and discrimination as you go from one School Tax Authority to another.

Now, I can assure the hon. minister, and the President of the Privy Council (Mr. Marshall] who has been around here a little longer, that I was much more vociferous over the last eight years in screaming and yelling and clawing, trying to claw away the school tax. I even went on national radio one night with - was it Barbara Frumm? - or somebody -

MR. HANCOCK: How can you forget her, she is so attractive?

MR. F. ROWE: No, I do not think it was Barbara Frumm, that is why I am hesitating. Anyway, it was that particular show and there was a fuss about that teacher who was refused her certification to the Roman Catholic School Board because she would not sign that she was a Catholic. And we somehow or another got into the School Tax Authorities. And, old Barbara, wherever she gets her research, shouts out, "Was it not your old man who brought in the School Tax Authorities?" And I said, "Yes, of course it was but, you know, what was brought in ten or fifteen years ago to meet a particular need in Corner Brook at the time, does not necessarily meet the needs of today." And Corner Brook wanted it. They asked for it - am I correct? - and they got it. Now I am asking, how many people in this Province, who have to pay school taxes, have asked for school taxes?

Now I am not arguing against school -  
Nobody wants to pay taxes.

MR. WINDSOR:

MR. F. ROWE:  
pay another tax.

Yes. Exactly. Nobody wants to

MR. HANCOCK:  
are going to find out.

MR. SPEAKER (Baird):

Order, please!

MR. F. ROWE:

Mr. Speaker, what I am arguing against is not the payment of taxes. I am not arguing against the payment of taxes. We will continue to be taxed, and probably love them, Mr. Speaker, love the right kind of tax.

MR. HANCOCK:

We will love it when we get something for it.

MR. F. ROWE:

I would like the right kind of a tax applied fairly, equally and squarely, and when you get a return on the payment of your tax.

Now, I have already described - probably the new minister was outside when I made the points, but I gave two examples of where individuals are discriminated against or are treated unfairly because of the application of this tax, and I gave another example of regionally going from one school board district, or one School Tax Authority jurisdiction to another, where it is very inequitable and discriminates against the young children and the teachers and the parents who happen to be teaching in "poor School Tax Authority jurisdictions."

So I have always advocated, Mr. Speaker - see this bill improves the School Tax Act such as it stands, but it is pretty difficult to improve something that is so bad, to the point where it is even close to perfection. And I say forget about the School Tax Authority in their amendments, Mr. Speaker. Unfortunately, I will vote for the amendments because they are improvements. I say unfortunately, because it is unfortunate that I have to vote on anything pertaining to School Tax Authority because I am against the principle of the School Tax Authority, I am against the inequities of them,



MR. ROWE: the unfairness of them, the regressive nature of them.

MR. WINDSOR: What is a better system?

MR. ROWE: A better system. Okay, I will answer with a question.

MR. WINDSOR: A serious question now.

MR. ROWE: Well, I always assume that most questions are serious questions coming from the other side, Mr. Speaker.

MR. CALLAN: That is right.

MR. ROWE: They may be stupid questions but I would assume they are meant to be serious.

MR. STAGG: They may be naive.

MR. ROWE: They may be naive but the best solution to the School Tax Authority, unfortunately, is impossible to implement. Okay?

MR. CARTER: Well!

MR. ROWE: Except indirectly now. If they hon. member will listen very carefully. Everybody knows - and I can hear him roaring now when I say it, everybody knows that the income tax is the fairest method of taxation in the world because it is based on an individual's ability to pay. That is why I would prefer to see -

MR. HANCOCK: Hear, hear!

MR. ROWE: - a federal income tax which we have, a provincial income tax, which we have, and a municipal income tax, which we do not have, rather than those stupid property taxes and poll taxes and every other kind of taxes.

MR. WINDSOR: You do not agree with the poll tax?

MR. ROWE: No, I do not agree with the poll tax because it is unfair. But it is a tax -

MR. WINDSOR: The property tax is a little bit fairer.

MR. ROWE:

Mr. Speaker the hon.

member will have an opportunity to -

MR. HANCOCK:

(Inaudible) based on your

income.

MR. ROWE:

I said this. Mr. Speaker,

I made a simple statement and I do not know what the minister is trying to get out over there but I will repeat it, the fairest formula and the fairest method of collecting taxes is the income tax mode. Nothing else comes close to it, not the poll tax, not the sales tax, not the property tax. No other kind of a tax comes close to being as fair as the income tax. Now, having said that, I am not saying that the Department of Education should set up an income tax for educational purposes, just as we do not have a tax for highways, we do not have a tax for hospitals, we do not have a tax for many things - recreation and culture. You look through all the social service departments, Mr. Speaker, and you will not find one single tax to cover a social service except one. What one is that? Education. So I say eliminate the darn thing, throw it out.

MR. WINDSOR:

And raise income tax?

MR. ROWE:

No, you do not have to

raise income tax. Now, this is what I was referring to, that the minister would be shouting out. There are other sources of revenue in this Province other than income tax. I know the ministers opposite

MR. F. ROWE: may not recognize that because they have been plowing it to the people ever since they got in. Our major source of revenue - do we have it here? - is not even necessarily these few little taxes, it is, in fact, the taxes and the monies from Ottawa and the Newfoundland Liquor Commission and taxes on fuel and taxes on this and taxes on that. Then there is a little segment that would come from the fact that we have industries going in this Province circulating money. If this government had the proper guidelines, Mr. Speaker, we would see enough industries going on, enough mines opening, enough activity, that you sometimes find in other parts of the Province, so that we could actually lower some of our taxes, take away some of our taxes. But our basic problem, Mr. Speaker, is that our economic base is so dismal and so low that we have to continue to throw taxes at the people every year, and this is another example of it.

Now, Mr. Speaker, in order to get away from the inequities and the inherent disadvantages involved with school taxes, I still commend to hon. members opposite that they abolish School Tax Authorities and simply take that amount of money out of the general revenue of the Province. Now, the people get a laugh out of general revenue. I can remember the hon. member for St. John's Centre, Ank Murphy, he used to say, 'Who is General Revenue? Who is this guy, General Revenue?' This was his answer to the suggestion that the money come out of the general revenue of the Province. It does not matter, Mr. Speaker, whether it is coming out of the general revenue of the Province or a reasonable income tax, the fact of the matter is, it is coming from the same source, that is the people's pockets, the difference being that if it is coming out of the general revenue of the Province, it means that it has to be gotten from a tax that is more fair, that is fairer, is more equitable from one end of the Province to the other.

MR. F. ROWE:  
do you want to speak to this?

So what I am saying, Mr. Speaker -

MR. HISCOCK:

I do, I do.

MR. F. ROWE:

So, Mr. Speaker, what I am saying is simply this, although I have to endorse most of the improvements that I see in this particular act-and I would like the minister to comment, particularly on Clause 4 as far as designation of land is concerned, I am not so sure if that is a step in the right direction

MR. F. ROWE: lock, stock and barrel, boots and all on, with a lot of enthusiasm when I know they are trying to improve a monstrosity, this School Tax Act, that will never be anything but a monstrosity? It might be an improved monstrosity, it has improved inequities, improved discriminations, improved unfairness, for what purpose? - To allow a few school boards to get a few extra hundred dollars - or \$1,000, I am sorry - in some cases millions of dollars. But it is not applied correctly or fairly, it never will be applied fairly and that is why I have to state once again that the principle of this thing we are definitely against. And as far as giving school boards some autonomy, I can assure the hon. minister that if the school boards had plenty of money from the government and the DEC's to run their operations -

MS. VERGE: (Inaudible).

MR. F. ROWE: I am just going to say, if they had enough money - well, look it is the same difference. You see this is the point - the hon. minister is missing the point that I made. I said the money comes from you and me and everybody out there. No matter where it comes from, money to government - except revenue from industries - no matter where the money comes from, it comes from some sort of a direct or an indirect tax. It comes out of the people's pockets every single time.

Well, Mr. Speaker, the point that I am trying to make is that some taxes are fairer than others. If I had a 75 per cent property tax slapped on me and I was making \$100,000, and there was somebody living next door to me making \$50,000 with five kids working and they all have the property tax slapped on them -

MR. F. ROWE:                   it is not based on ability to pay at all. So it is the mechanism. So I am saying abolish the blooming School Tax Authority, period, and get rid of those administrative costs, and take the money from the general revenue of the Province. Now, where is that money coming from? That money is coming from the same source as it is coming from now, the people's pockets. And the revenue that you are getting from various industries, revenue you are getting from Canada - well, that has to be applied for a specific purpose, I know. But cannot the minister realize that I am in total agreement with her? That the money comes from the people when it comes to taxes, there is no doubt about that, but there are some taxes that are fairer than others

MR. F. ROWE: And all I am saying is that this is a very unfair tax in order to give some school boards some autonomy with respect to expenditure and raising of money. And what I am trying to say, basically, is that if these school boards got sufficient monies for their current and capital expenditures, they probably would not be so worried about that big word 'autonomy' and they would probably go about raising money through some of the more traditional methods of these socials and get-togethers and, what have you, that you have for the purpose of raising money and not have, necessarily, to rely on school taxes.

The minister is writing something down there now and I would guess from it, Mr. Speaker, that she is suggesting that I, in my wisdom, am starting to say that education should be run by bingo games, church suppers, socials, etc. Scratch it out, I am not saying that. They are already doing it anyway.

So I hope the minister now does not get too riled up, because the point is that I am trying to make some suggestions in good faith, and I simply would wind up by saying, we are improving something that is not good and no amount of improvement will make it good. The only thing that will make this animal good is to put it to sleep, get rid of it altogether and come up with the same funds from the general revenue of the Province.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear.

MR. SPEAKER (Butt):

The hon. the Minister of Fisheries.

MR. MORGAN:

Mr. Speaker, I was not going to say anything on this bill, but I am tempted now by the statements just made by the Opposition spokesman on education.

It is obvious to me now why the Leader of the Opposition is not in the House this afternoon

MR. MORGAN: and many more members on the other side of the House are not there. It is obvious. Because the total irresponsibility of any party in Newfoundland to be sitting in the House with members elected by the people - to be able to stand in the House and show the kind of irresponsibility that is being portrayed by the Opposition Party, not only in the House but outside the House. They are opposed, Mr. Speaker, to taxes. They do not want any taxes whatsoever.

The Leader of the Opposition went down to Bonavista a few weeks ago and said, 'We are not in favour of any property taxes. We are not in favour of poll tax. We do not want any taxes, we are against taxes.' The man who is aspiring to become the Premier of the Province said he is opposed to taxes. And now, Mr. Speaker, to top it all off, the member who stands in the House and speaks on behalf of educational matters for the Opposition says he is opposed to school tax, he is opposed to municipal taxes. He is opposed to any taxes except, he said, 'We will have to find the revenue, naturally, for schools and for new school construction, for maintenance and operation of schools and for school bus transportation, all these things. We have to find that.' But how are we going to pay for it? Well, his suggestion was we pay for it from general revenue. Mr. Speaker, who is General Review? Now, of course, if we cannot get the funds from general revenue, we can go out and have a few bingo games, a few social events, a soup supper here or a meal there, and we will have a few dances there and we will raise some money to pay for a new school maybe. Maybe! But we all know the kinds of funds raised from that source are very, very limited. So how are we going to pay for education? So the official



MR. MORGAN: Opposition spokesman on Education says, "I am opposed to taxes. I am opposed to school tax. I am opposed to all taxes except "- he asked a question of my colleague, "Well, how are we going to pay for education? We will pay for it from general revenue."

Mr. Speaker, if that hon. gentleman was not in the House any longer than since the last election, I would forgive him as being naive, being naive. But he is not naive. Surely the hon. gentleman is not naive. We have to get sources of funds and if we have not got the industry in our Province giving us the source of revenue, if we have not got that source of revenue how are we going to get the taxes and get the revenue to pay for the services we need?

MR. HANCOCK: Are you in favour of the (inaudible)?

MR. MORGAN: Every second day of the week, Mr. Speaker, the hon. gentlemen on the other side are bringing in petitions for roads, petitions for water and sewer, petitions for new schools and on we go.

MR. HANCOCK: Have we got a road tax?

MR. MORGAN: Every day of the week they are demanding from some minister over on our side of the House, "Give us this or give us that" -

MR. HANCOCK: Have we got a road tax?

MR. MORGAN: - as if we over here got a machine in my colleague the Minister of Finance's office down there, in the back somewhere, hidden away, that pumps out money every day of the week. That is the kind of impression that is left. And then for the hon. gentleman to stand up and so irresponsibly say, so irresponsibly say, "No, we do not like property taxes. We do not like school taxes. We are opposed to all these taxes.

MR. BARRETT: Do not like municipal taxes.

MR. MORGAN: But in the meantime, give us new schools and give us the money from your general revenue."

Now who is Mr. General Revenue?

Who is he? Tell us the secret, who is Mr. General Revenue?

SOME HON. MEMBERS: Oh, oh!

MR. MORGAN: They stood in the House here and they opposed the few taxes placed on alcohol and placed on tobacco. They were opposed to that.

MR. HANCOCK: You know darn right we were opposed to it.

MR. MORGAN: There is not one person across our Province who is in favour of taxes. Nobody is in favour of taxes. But the hon. gentlemen on the other side, who are hoping to become the government one day, and hope, hope, hope, keep on hoping eternally, but they are hoping, they are hoping to become the government of this Province, and when they do the big question will be asked, the big question will be asked, Well, they have the answer. They know how to finance all these things. They will go out and have a few social events. They will go out and have a few bingos.

MR. BARRETT: Bring in a guest speaker.

MR. MORGAN: And they will rent a Liberal from Ottawa to see if they can raise some funds.

MR. POWER: Yes, \$150 a night.

MR. MORGAN: That is what they will do, \$150 a dinner. That is the kind of thing that is going to happen.

MR. HANCOCK: Are you in favour of school tax?

MR. POWER: There are not many Liberals you will get \$150 for.

MR. MORGAN: The situation is that -

MR. HANCOCK: Are you in favour of school tax?

May 29, 1981

Tape No. 1981

NM - 3

MR. MORGAN: - the situation, Mr. Speaker, is  
that we know on this side of the House -

MR. POWER: Throw it away.

MR. MORGAN: - we know that with only our  
half a million people that we have, we know that with the under-  
development of the Province that still exists - it will not be  
under-developed in five or six years time, but it is now -

MR. MORGAN: that we have not got the source of revenue available to us from industry. And we are being stifled in our development of our resources. A prime example was this morning; one of the most important resources in the Labrador portion of our Province is being stifled by someone playing games in Ottawa. And that is the kind of thing that is happening. The federal government has total control over our most important resource, total control, they control the whole thing and they do not do anything to help the fishermen to develop the resource. There are all kinds of needs for facilities, for landing facilities, there are all kinds of needs for wharves and breakwaters which would help the fishermen earn a few dollars to come in and pay their taxes, whether it be municipal taxes or property taxes or other taxes, but they cannot pay it without the money to pay it and they are being stifled. But these kinds of things are now known to the people. Because I tell you, Mr. Speaker, for example -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER (Baird): Order, please!

MR. MORGAN: - down in Bonavista there is not one person down there who is not laughing at the Leader of the Opposition (Mr. Stirling) who went down with the biggest yap on the other side, the member for LaPoile (Mr. Neary) who went down with him, stood up on the stage, the platform before a few families and people and they said, 'We are opposed to taxes, we do not like taxes we are opposed.' And the question was asked: "What would you do, 'Mr. Stirling', in this case if you were the Premier of the Province?" He said, "What would you do to help us get the water and sewer that so far has cost \$8 million? What would you do to get the roads paved that so far has cost \$350,000 this past year?" And on she goes. "What would you do, 'Mr. Stirling'?" "Well, he said, "we would find the money from general revenue."

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: Mr. General Revenue is a great fellow, he has got all kinds of funds over here somewhere in Confederation Building. That Mr. General Revenue is so important, he is so important. But the fact is, Mr. Speaker, that we know that any tax -

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

MR. SPEAKER (Butt): A point of order, the hon. member for Carbonear.

MR. MOORES: That is not the response of the hon. Leader of the Opposition -

MR. POWER: That is the Barry theorem, when you get to the core, you then get points of order.

MR. MOORES: The hon. Leader of the Opposition gave the answer that he would allow (inaudible) -

SOME HON. MEMBERS: Oh, oh.

MR. MOORES: - (inaudible) to decide (inaudible). he did not say that it would come from general revenue.

MR. SPEAKER: Order, please!

That is not a point of order.

The hon. the Minister of Fisheries.

MR. MORGAN: Mr. Speaker, if I went out tomorrow morning and told the fishermen that while we were going to have to impose a tax to pay for some of the loans we are giving you from the loan board and some other things we are

MR. MORGAN:

providing for, fish plants etc., but you will decide, Mr. Fisherman, how much you will pay and what kind of tax, oh, how silly. Mr. Speaker, there is nobody in this Province going to say, yes, we will put a tax on. The people do not like taxes. The people do not like taxes and because the people do not like taxes, everybody knows it is a politically favourable thing to say, We are opposed to taxes. We are not saying that though. We are being businesslike and trying to run this Province in a proper way -

SOME HON. MEMBERS:

Oh, oh!

MR. MORGAN:

- and we know that there

have to be taxes.

MR. HANCOCK:

(Inaudible) \$300 million debt.

(inaudible) years ago.

MR. SPEAKER (Simms):

Order, please! I would ask the

hon. member for St. Mary's-The Capes to restrain himself.

MR. MORGAN:

Now, Mr. Speaker, if the

hon. gentleman wants to bring in a sore point, school taxes were not brought in by this government, school taxes were not brought in by the last administration, school taxes were brought in by the previous, previous administration.

MR. POWER:

Who put the tax on the

(Inaudible)

MR. MORGAN:

Now, that great Liberal

reform government in power twenty years, they brought the school taxes in. They brought it in very arbitrarily too, no consultation with the school boards, no consultation with the people, no consultation with the town councils involved.

MR. BARRETT:

Where was General Revenue?

Where was General Revenue then?

MR. MORGAN:

Well, the word was, then, he

took a leave of absence for a few years.

MR. POWER: He was only a private then.

MR. MORGAN: My hon. friend asked the question, where was Mr. General Revenue then? That is a good question. Where was he then when it was forced down the throats of the people of Newfoundland? What we are trying to do now in this legislation, Mr. Speaker, is we are trying to at least make the tax system that is now in place as clear as possible by making modifications and making it as equitable as possible. But the situation is that taxes have got to be there to pay for the services that we have. Any individual member of this House who stands up and says that they are opposed to taxes, no matter what kind of taxes, as was said in Bonavista and other places a little while ago, if they are opposed to taxes and if they are going to keep on demanding the kind of services that people do deserve - we all know they deserve the facilities of new schools, we all know they need better roads.

MR. MORGAN:

to take the children over each day, we all know they need good contracts for the bus servicing to bus the children back and forth to school. And I can go on. They need modern conveniences like water and sewer in the towns where the schools are and where the children are living, etc. But they have to be paid for by some means of taxation. There is no other way. We are not living in some kind of a dream world where we can pull down from some imaginary thing in the sky millions of dollars each year. And the people of this Province should understand, in fact, I think they do understand, that any person who stands in the House and leaves the impression that taxes should not be out there, are deceiving the people, deceiving themselves and deceiving their own party that they represent. And that will be the downfall of any possible chance they have of ever becoming the governing party of this Province.

If, for example, the Leader of the Opposition went down and told the people in my own district a little while ago - if he had said, 'Well, look, if you are going to have these kinds of services you are demanding and if your member is going to be pressing to get these funds for you, in your minds you have to have an understanding that these services have to be paid for. The Newfoundland Government, the members on this side of the House here, are the administrators, but the government sources of revenue are the people, the people whom each of us talk to every day of the week. Any person we talk to and we say to them, 'No, we agree with you, there is no need for taxes', it is totally irresponsible. And I would say in my few remarks on this issue, that the hon. gentleman is doing a great disservice to education.

I heard him a few days ago on the radio network, electronic media, talking about the university



MR. MORGAN: and the increased cost of tuition. He left the clear impression he was the member for the university. I have yet to hear him speak about the problems in the Bay de Verde district, but I get letter after letter every day from fishermen's committees and councils looking for improvements to marine facilities, every day from the Bay de Verde riding. I have yet to hear him talk about

MR. MORGAN: the needs in his own riding, but I hear him talking about the needs of the university, and talking about how the government has been irresponsible in cutting back on the university budget.

Again I want to ask the question, if we do not cut back on the university budget, who will supply the funds? Who will supply the funds?

MR. BARRETT: General Revenue.

MR. MORGAN: If we cannot be reasonable in what we allocate to the university or to the school boards for the operations of schools, we are not being responsible in managing the affairs of the people who elected us to power to administer their affairs for them. That is the reason why we are here. I have been here since 1971 on the government side, and the reason why I am here in the Cabinet is to administer the affairs of all the people of Newfoundland.

AN HON. MEMBER: That is right.

MR. MORGAN: And if I do not administer the affairs of all of the people of Newfoundland in a responsible way as part of the Premier's Cabinet, if I do not do that, the people will show me they do not like what I am doing in the next election.

AN HON. MEMBER: That is correct.

MR. MORGAN: That is the whole political process.

That is democracy. But it is wrong, it is totally wrong to let the students believe at the university, as it was portrayed a few days ago, to plant in the minds of students that the reason why you may have, you may have an increase in tuition fees, you may have an increase in the cost of going to university is because that silly Newfoundland Government there in power today is cutting back on the budget to the university. That was the irresponsible impression left -

SOME HON. MEMBERS: Shame!

MR. MORGAN: - by the Opposition spokesman for Education a few days ago, and that is totally wrong. But, of course, the fact is that students today, whether they are high school students or Grade VII or Grade VIII, they are far more intelligent than the kinds of statements and tributes made by certain members of the Opposition. They understand the realities of the financial world and the cost today, they do. They understand that right now is a time in the history of our Province when we do not have the kinds of dollars available to do the kinds of things we want to do, in 1980-81.

But with the help, hopefully, and co-operation of the federal authorities in Ottawa - we need the co-operation of Ottawa, there is no question about that, we are only a half a million people, we are a small Province. If we get the right co-operation from Ottawa, with the kinds of resources that we have as a Province with a half a million people, the offshore resources, the fisheries resources, the hydro power resources, the mining resources - I can go on - the potential that we have, that down the road I hope I will still be

MR. MORGAN: standing here as a member of the government and will be able to say, 'Look, we are not putting taxes on, we are going to take taxes off.'

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: And that day will come.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. BENNETT: Mr. Speaker.

MR. SPEAKER (Butt): The hon. the member for St. Barbe.

MR. BENNETT: Mr. Speaker, I shall start off with the same remark that was made by the hon. the Minister of Fisheries (Mr. Morgan) when he said he was not going to speak until the shadow on education spoke. And I felt the same way, that I was probably not even going to speak on this bill myself, but indeed now I feel that I should have a few words.

The minister in his last remarks suggested that young people today better understand costs involved. They also, Mr. Speaker, understand that after they have bled their parents and bled their own pocketbooks, if they have any money when they are beginning in the Province where they have been raised and educated, they also realize they have no jobs forthcoming. And, Mr. Speaker, you will not find a person who will support expenditure on education any more than I shall support expenditure on education.

I believe by today's standards it is a crime to let our young people go out into the world, or, indeed, even stay in their own little communities unless they have a fair chance to have education. In order that they should be able to support their education, in order that they should be able to pay taxes to the Treasury, Mr. Speaker, they first of all have to be employed. They have to be gainfully employed and make some bread to go on their

MR. BENNETT: tables. And this is one of the many dilemmas that our people find themselves in today. I will admit it is not only Newfoundland that finds itself in this dilemma where unemployment is high, the cost of living is high. We have a lot of young people who deserve to be educated and I feel that this government should strain every resource at its disposal to make sure that our young people are educated, not only to the extent of Grade XI but with the trades and with the universities, and prepared to face a life with education.

It is very difficult, Mr. Speaker, I will admit, to run a country without taxes. It is very difficult

MR. T. BENNETT: for people to pay taxes unless they see returns for those taxes. And, Mr. Speaker, you have permitted a very broad discussion in this debate. People are reluctant, Mr. Speaker, to support a tax structure of a Province that in many cases is unable to provide the services for which those taxes have been implemented. We find this in rural Newfoundland more especially, where we do not have a tax base, we do not have an industry base. We are very fortunate in some parts of rural Newfoundland if we have a fishery, a fish plant that can support an income to justify taxation. And, Mr. Speaker, where we have that industry, that supporting industry where people are employed, the parents of children are better equipped to educate their children, they do not need as much help from governments. It is a Province like this where we have high unemployment, it is a Province like this that needs to have a lot of revenue from the Treasury to support its educational system, because our people do not have the income base to support the tax structure of the Province.

The hon. minister was suggesting that every day, every day members on this side of the House are demanding this and demanding that and demanding something else. Well, Mr. Speaker, I congratulate the members on this side of the House for being so demanding. That is exactly what they were elected for - to speak on behalf of the people in this Province and be demanding of the government. And it is up to the government, in its wisdom, to create an atmosphere where they, hopefully, can reduce taxation on people's backs and provide more of the services, including education. Not only education but many, many other things that we have to have taxes in place to support.

May 29, 1981

Tape No. 1987

DW - 2

MR. T. BENNETT: But, Mr. Speaker, I would do without myself, personally, many things in order to support

MR. BENNETT: a better education, a better standard of education for our young people.

I think that we have to recognize that. There is \$411 million, I think something in the order of \$400 million, for education this year, Mr. Speaker. And I congratulate the government on having such a large budget for education. I wish they could have doubled that. Let us not overlook the fact that a lot of that comes from Ottawa. Let us not flog Ottawa like we do with some of the other revenue funding that comes down. Let us congratulate Ottawa. Let us negotiate and let us ask - let us negotiate with them and tell them that we need more money for education.

We continually, Mr. Speaker, use the shotgun approach on Ottawa exactly as we use a shotgun approach on some of our municipalities when we want to inflict taxes on them for water systems that have been introduced and installed by funding from Ottawa, generally through DREE funding.

MS. VERGE: (Inaudible) DREE agreement for education.

MR. BENNETT: Not for education, I am aware of that, except in the schools. We have a lot of schools, Madam Minister, which are DREE schools in the Province, so I understand.

MS. VERGE: There is no more DREE.

MR. BENNETT: Well, at this time, but there might very well be, like I am suggesting, the shotgun approach that has been used -

MR. LUSH: The white elephant stall.

MR. BENNETT: The shot gun approach that is being used, no more DREE money for schools. Well, probably Ottawa feels that we have had sufficient funds, that they have spent sufficient funds in that form, that we should have done well enough with that expenditure. It would be interesting, Madam Minister, and I shall ask you one of these days exactly how many dollars of DREE money



MR. BENNETT:                   came into Newfoundland for schools for the Province. I shall ask you that question one of these days and it might be an idea for the minister to be aware so that she can answer the question. Because it would most certainly, Mr. Speaker, be interesting to know how many millions of dollars have been spent, DREE funding, for school construction.

MR. BARRETT:                   Ask Uncle Ottawa.

MR. BENNETT:                   We have a Minister of Education who should have the answer, I should not have to make a long distance telephone call. If this is the way this government operates, all that expenditure for long distance telephone calls, I feel that you are wasting the taxpayers' money and you should reduce your taxes by being more efficient in your operation. So we will ask the minister next week how many dollars were spent on high school construction, and I am sure the minister will have the answers, high school construction over - well, since the beginning of DREE funding.

Now, when we speak, Madam Minister, in terms of DREE funding for high schools, we could make it broader for education because there are other methods of education for our students, other things that our students need other than just the three R's in their education. However, Mr. Speaker,

MR. BENNETT: many time I have - this may not be on the subject matter at the moment but I cannot resist any further suggesting that there have been a lot of references made, or comments made about a \$150 dinner that some of us attended in this Province. The hon. gentleman from Humber West (Mr. Baird), would you like to know who paid for my dinner because I will tell you?

MR. BAIRD: (Inaudible) working for it.

MR. BENNETT: No, I paid for it. It is none of your business or anybody else's business that I did pay for it. It is nobody else's business, I paid for it and I did not pay \$150 for my dinner, I gave \$150 dollars to the fund, to raise money for the Liberal Party -

MR. BARRETT: You wasted your money.

MR. BENNETT: - and I went and I enjoyed the dinner. Well, that is for me to decide and I do not think that is anybody else's business. If I want to spend \$2,000 on thousands of dollars on a dinner -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER (Simms): Order, please!

MR. BENNETT: - I feel that it is my right to do it. However, I suspect there might even have been tax on that dinner. I suspect, Mr. Speaker, there may have been tax somewhere applied to that sixty odd thousand dollar fund raising campaign which the provincial Treasury benefited from too. So you should probably encourage more. But when I went back in my district the people there congratulated me and they said, 'Well, we would have liked to have been able to come into that dinner because it is very nice to see so many people supporting the Liberal Party. And, hopefully, the Premier will call an election and we will be ready for the next election very, very shortly.'

I would like to adjourn the debate, Mr. Speaker.

MR. SPEAKER: Well, is it agreed to call it 1:00 P.M. then?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER (Simms): The hon. President of the Council.

MR. MARSHALL: Before I adjourn, Mr. Speaker, I would like in the spirit of great co-operation in the House, to inform the members of the opposite side that on Monday we will be getting into the concurrence debates. The first concurrence debate will be Social Policy followed by Resource and then Government Services. There are three hours - you have can use three hours for each one, you can use them whichever way ones wishes. Also, Mr. Speaker -

AN HON. MEMBER: How about next week?

MR. MARSHALL: No, we operate in an efficient -

AN HON. MEMBER: (Inaudible)

MR. MARSHALL: No, no. Not at all. We enjoy it in here and we carry on the business of the government in the orderly way and in accordance with the procedures that our forefathers gave us and we will continue on.

And now, Mr. Speaker, I would also indicate though so that the hon. members will understand, that that is subject to - when the Minister of Justice (Mr. Ottenheimer) comes back the Residential Tenancies Act may be put in before it. Do we understand that now? Subject to the Residential Tenancies Act being put in before the concurrence debates, okay?

SOME HON. MEMBERS Oh, oh.

MR. SPEAKER: Order, please!

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

On motion, the House at its rising adjourned until tomorrow, Monday, June 1, 1981, at 3:00 P.M.

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PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD  
3:00 p.m. - 6:00 p.m.  
Thursday, May 28, 1981

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (SIMMS):

Order, please!

There are a number of matters which the Chair would like to deal with which it has deferred.

First of all, with respect to the point of privilege arising out of Tuesday's sitting and raised by the hon. Leader of the Opposition (Mr. Stirling) concerning the matters surrounding the hon. Minister of Labour and Manpower's (Mr. Dinn) comments. I want to quote first a number of parliamentary references which are really the only guidelines available for a Speaker in dealing with these matters.

First of all, I quote Beauchesne's Fifth Edition, paragraph 17, page 11. It says; "A question of privilege ought rarely to come up in Parliament. A genuine question of privilege is a most serious matter and should be taken seriously by the House." Also from Beauchesne's Fifth Edition, paragraph 20, subsection 4, page 12, says in part: "As Parliament has never delimited the extent of privilege, considerable confusion surrounds the area." As well from the same reference book, paragraph 40, page 17, says in part; "In any case where the propriety of a member's action is brought into question, a specific charge must be made." "A question of privilege is a question partly of fact and partly of law - the law of contempt of Parliament - and is a matter for the House to determine, not for the Chair: Beauchesne's Fifth Edition, paragraph 80, subsection 3, page 25, says: "It follows that though the Speaker can rule on a question of order, he cannot rule on a question of privilege. His function, when a question of privilege is raised, is limited to deciding whether the matter is of such a character as to entitle the motion . . . to move to priority over the rest of the Orders of the Day." So there is no doubt that a question of privilege should be

MR. SPEAKER (Simms):

of extreme importance.

I also point out another reference for hon. members, Beauchesne's Fifth Edition, paragraph 19, page 12, which says in part: "A dispute arising between two members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege. Many matters may constitute a grievance but not a question of privilege."

So the Speaker requires to be satisfied that the privilege appears to be sufficiently involved to justify him giving precedence over the rest of the Orders of the Day. The other point is that he must be satisfied, of course, that the matter is being raised at the earliest opportunity, and I am satisfied in this instance, of course, that it has been.

Hon. members can probably appreciate that this is not a cut-and-dried situation presents a great deal of difficulty for the Chair. So I have to determine whether the matter is important enough and whether enough evidence has been presented to allow the motion that would take precedence over everything else. I have reviewed the pertinent Hansard transcripts concerning the questions and answers in this matter. The question that was asked was of a general nature, i.e., would the minister interfere with rulings of the Labour Relations Board. The minister replied that he did not think he had ever interfered. There are therefore two ways to look at the situation, one side interpreting something as interference and the other interpreting it not as interference. But it is clearly not for the Chair to decide that questions, that is obviously a

MR. SPEAKER (Simms): difference of opinion. The Chair has to decide if a prima facie case exists based on the questions and answers in this House. The questions and answers were of a general nature.

In reviewing the matter, I find that what we have are disagreements on interpretation on what had occurred or transpired or, if you wish, a dispute as to the facts or a difference of opinion or a dispute regarding interpretation of the statements and circumstances surrounding this matter, one saying it is and one saying it is not. Again, that is not for the Chair to decide.

I assure hon. members I have given a great deal of consideration to this matter. I have read the documentation, reviewed Hansard and what was said by hon. members involved, I have researched other similar types of incidents in the past in this House and in the House of Commons and find, of course, that they do not provide a lot of guidance because it is difficult to find two matters that are the same, and I have referred to numerous parliamentary references. In this case I am not satisfied that privilege appears to be sufficiently involved nor enough evidence to justify my allowing a motion that would take precedence over Orders of the Day. In other words, in this instance I find that a prima facie case has not been established.

With respect to a second matter of privilege, a point of privilege raised yesterday by the hon. the member for Harbour Main - Bell Island (Mr. Doyle) arising out of comments made by the hon. the member for LaPoile (Mr. Neary) on Tuesday, the appropriate quotes, I believe, are as follows: 'Mr. Neary: I can tell the hon. gentleman it was not paid for by the hon. gentleman. I can prove it. Sure I

MR. SPEAKER (Simms): can. I am making a statement now and I am accusing the hon. gentleman of misusing taxpayers' money to have this brochure printed in Government Services'.

Subsequent to these comments, the hon. member for Harbour Main - Bell Island (Mr. Doyle) indicated by tabling the invoices from the printing company which indicated the brochures were printed at his personal expense, but again it is not the Chair's role to determine if there is a point of privilege in this matter but rather if there is a prima facie case. And I want to say, first of all, that having reviewed and considered this matter, I do not believe that there is enough evidence to support my allowing a motion on this that would take precedence over all Orders of the Day. So therefore I do not believe a prima facie case has been established.

However, I would like to deal with the matter as if were a point of order and in that context, and in dealing with it in that manner, let me say that it is my understanding that the hon. the member for LaPoile (Mr. Neary) subsequently made the following comments after those comments were made by the hon. member for Harbour Main - Bell Island, 'Mr. Neary: I accept the hon. gentleman's explanation. I am sorry if I offended the hon. gentleman and I am accept his explanation'. In yesterday's debate on the point of privilege, the hon. the member for LaPoile made the following comments, 'Mr. Neary: I thought that was adequately taken care of yesterday, Mr. Speaker. But if the



MR. SPEAKER (Simms): 'hon. gentleman, you know, if it would make him any happier - I know Your Honour will rule this is not a prima facie case - but if the President of the Council gets his jollies out of this sort of thing, then I will withdraw it.'

So in dealing with the matter as a point of order, and to eliminate and to dispose of the matter, and to eliminate any confusion that there may be as to whether or not it was a unequivocal withdrawal by the hon. member for LaPoile (Mr. Neary), I would simply ask the hon. member for LaPoile now from the Chair to withdraw the remarks that he made.

MR. NEARY: I withdraw, Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile withdraws those remarks.

I have a communication here which I have been asked to pass on to all hon. members.

"Dear Mr. Speaker; Please accept my belated but nonetheless sincere thanks for your kind telegram concerning the outcome of the recent general election in Ontario. The results were indeed a source of gratification and I look forward to continuing to play a role in the political affairs of this Province. Equally gratifying was the knowledge that your own congratulations were supplemented by a unanimous resolution of the House of Assembly. I would ask you to convey my personal thanks and those of my colleagues to all members for this much appreciated gesture."

It is signed by the hon. William Davis, Premier of Ontario.

MR. NEARY: That shows how broad minded we are over here.

MR. SPEAKER (Simms): Now while I am still standing may I ask hon. members to join me in welcoming to the galleries today a group of Grade X students from a law class, I understand, from Centennial High School in Gander Bay, with students from the districts of Fogo and Lewisporte, along with their principal, Mr. Barry LeDrew. We hope they enjoy their visit here today.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: And finally I am also happy to welcome to the Speaker's Gallery today the Mayor of Glovertown, from the district of Terra Nova, who is also the President of the Consumers Organization for the Disabled of Newfoundland and Labrador, Mrs. Irene McGinn.

SOME HON. MEMBERS: Hear, hear!

STATEMENTS BY MINISTERS:

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

MR. BARRY: Mr. Speaker, I have a number of statements here today. Neither in themselves are all that long. The first statement is to provide information to the hon. members of this House on certain recent events concerning exploratory permits issued to Mobil Oil (Canada) Limited by the Government of Newfoundland and Labrador in the area of the Grand Banks of Newfoundland.

These exploratory permits were first issued on May 4th., 1978, under the provisions and authority of the Petroleum and Natural Gas Act and more particularly the Newfoundland and Labrador Petroleum Regulations 1977 pursuant to the act.

In accordance with the petroleum regulations, Mobil's permits located in management zone eight carried an initial exploration period of three years, with the

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MR. BARRY: right to have an extension of the exploration period for a further three years provided that certain conditions are met.

The most important of these conditions are as follows. (a) The Permittee must have kept his permits in good standing by complying with the provisions of the act, the regulations and his permit. (b) Has made proper application for an extension.

MR. BARRY: (c) has relinquished at least 40 per cent of the original number of sections contained in these permits or group of permits and (d) has made a commitment to drill the stipulated number of wells during the extension period.

Mr. Speaker, Mobil Oil (Canada) Limited have now met these conditions and I am therefore pleased to approve their application for a three-year extension of their exploration period.

In particular, Mr. Speaker, I would like to draw the attention of hon. members to the following significant points. Mobil Oil (Canada) Limited have committed to drill a minimum of two new wells on their Management Zone 8 and 9 permits over the next three years, and I stress that that is a minimum. I should also point out, it is not mentioned in the statement, the fact that the permit is extended for three years bears no relationship whatsoever to the time period within which development might be expected to occur on the Hibernia acreage.

Mobil Oil (Canada) Limited have relinquished all right, title and interest in eighty-seven sections or 1,887,700 acres of offshore petroleum acreage. The maps attached to the statement, of which I have copies for this hon. House and for the press, show Mobil's holdings before and after the recent relinquishments. Also, Mr. Speaker, Mobil Oil (Canada) Limited have committed to increased per section expenditures on education and training and research and development in the Province.

Mr. Speaker, the control of acreage and the ability to set the terms and conditions under which mineral rights are assigned and operations conducted are key attributes of ownership. It is through this exercise that government is able to ensure that the pace of exploration and subsequent development is compatible with the social,

MR. BARRY: economic and environmental well-being of this Province.

AN HON. MEMBER: Hear, hear!

MR. BARRY: Mr. Speaker and hon. members, the acreage relinquished by Mobil has now reverted to Crown ownership -

MR. NEARY: That was written by the Cival servants (inaudible).

MR. BARRY: - and I will give it in baby talk for the hon. member later on if he wishes it.

The acreage relinquished by Mobil has now reverted to Crown ownership for future disposition at the appropriate time.

To give a rough illustration of the value of this land, one might refer to a sale in January, 1980 on the Georges Bank in United States waters where, incidentally, there has not yet been any commercial discovery, where an average price of \$5,275,000 was paid per square mile in unproven acreage.

Mobil have relinquished close to two million acres, close to 3,000 square miles, which at that

MR. BARRY: and this is just to indicate the approximate value, Mr. Speaker - which at \$5,275 million per square mile would give a value of approximately \$16 billion - \$15.6 billion. The Petroleum Regulations promulgated in 1977 by the Government of Newfoundland and Labrador introduced a modern and far-sighted regime for the management of the petroleum resources offshore Newfoundland and Labrador. Agreements with the oil industry under these regulations have stood the tests of time and of practical application.

MR. NEARY: They are under the federal regulations .

MR. BARRY: It is ironic that the member mentions this. It is ironic that the Government of Canada, who are claiming ownership and jurisdiction over our offshore resources, are only now getting around to enacting new legislation covering so-called "Canada Lands".

MR. NEARY: They are under two permits.

MR. SPEAKER (Simms): The hon. member for Windsor-Buchans (Mr. Flight) has about three minutes.

MR. FLIGHT: Thank you, Mr. Speaker. Speaking on behalf of the official Opposition, I would welcome this announcement today. We have been aware for some time now that the government has been negotiating with Mobil for the turning back of certain acreage held by Mobil. We were hoping for a favourable resolution and we seem to have one. We applaud and welcome anything that enhances the development of offshore and future production and this would appear to go a step towards that end.

I should say also, Mr. Speaker, for this side that this announcement today would indicate that maybe the government is finally saying well, we should negotiate in a spirit of good will with these companies, with Mobil and with the federal government. And we recognize that with a sense of relief, as well as does every Newfoundlander recognize that, if it is indeed so, with a sense of relief.

MR. FLIGHT: There is nothing, Mr. Speaker - the minister goes on with what I consider some silliness about key attributes of ownership - there is nothing in this, nothing done here that the Province could not do and be expected to do if we were to accept or to look at Mr. Trudeau's proposals, nothing at all. So, I mean, alluding to the ownership is a red herring. There is nothing here that would not expect to do and indeed have been guaranteed to have the right to do under the proposals as laid out by the Prime Minister quite recently. Now the one thing that I would want to take issue with, Mr. Speaker - well, not issue with but I would want to be sure that the minister is aware of our concerns and other people's concerns - and that is that Mobil Oil Limited have committed to increased per section expenditures on education and training and there are a lot of people who believe in this Province that Mobil Oil and other people involved in the offshore are not indeed making the commitment to this Province. When we look at the billions of dollars that they will take out over the next years that they may not indeed be putting enough into that side of it. And if Mobil is - and we do not really know exactly what they are doing - if Mobil is, the government of this Province through the Department of Education and vocational training is not. And regardless of what the Minister of Education (Ms Verge) says the vocational system of this Province is not geared up to prepare our young men and young women to go to work in the offshore industry and as a result, we may well lose a lot of jobs.

Now, Mr. Speaker, apart from that the only question I would ask, the acreage relinquished reverts to Crown ownership, and I would presume that is the Petroleum Dictorate.

MR. BARRY: Not necessarily.

MR. FLIGHT: Not necessarily. Then alright,

MR. FLIGHT: because we have heard talks about Petroleum Directorate going into joint agreements with other companies who want to drill. And I think the minister owes it to this House before it closes to tell us exactly what our Petroleum Directorate is going to do in that area.

Apart from that, Mr. Speaker, what can one say? We accept the statement and we can concur with most of what is in it.

MR. SPEAKER (MR. SIMMS): Further Statements.  
The hon. Minister of Mines and Energy.

MR. BARRY: Thank you, Mr. Speaker, I am happy to see the co-operative nature of the response of members opposite. I just say, of course, we have always been willing to co-operate with most of the companies and the federal government, and I think everything has occurred over the past nine years establishes this.

Mr. Speaker, I am also today releasing safety statistics for offshore Newfoundland drilling operations. The statistics, compiled by the Provincial Petroleum Directorate, show that the injury rate for offshore drilling operations in Newfoundland waters compares favourably with figures for other areas in North America.

MR. NEARY: Is that good or bad?

MR. BARRY: That is as good, I think -

SOME HON. MEMBERS: Oh, oh!

MR. BARRY: I think it is good. I think it is good. Let the members determine that for themselves. I will give the statistics. A safety statistics paper has been compiled using statistics provided by Mobil Oil Canada Limited and the three local drilling contractors ODECO, SEDCO, and Zapata Offshore.



MR. BARRY: A special formula is used to determine the frequency rate of disabling injuries for drilling operations. A disabling injury or lost-time accident is one in which the worker is unable to resume his regular shift or is unable to return to the rig for the next shift. And these reports of accidents, by the way, are also investigated by the Department of Manpower and their figures confirm these rates.

On a year-round basis, it has been found that the injury frequency rate is higher during the first few months when the rig is on a new location and when men are unfamiliar with the rig and fellow workers. Also, operations in areas of colder weather result in a higher frequency of injury due to movement restriction when men are wearing heavier or bulkier clothing.

Statistics were studied for the three local drilling rigs, Sedco 706, Ocean Ranger and Zapata Umland during their offshore operations for the twelve months of 1980 and for three months of 1981. There were twenty-two disabling injuries recorded for all of 1980 and three in the first three months of 1981. One rig, I might say, has gone 345 days without a disabling injury.

The 1980 frequency rate of disabling injuries for the Grand Banks, taking statistics of all three rigs

MR. BARRY: into account was approximately 46.6. This can be interpreted as 46.6 disabling injuries for every one million man hours worked, and this rate compares favourably to the U.S. 1980 rate of 40.94 for its inland and offshore operations.

The figures also show that the Newfoundland offshore injury rate compares very well with those for land rigs throughout Canada. The 1980 land rig rate was 76.63 and the average over the last eight years was 75.31. A high percentage of land rigs are located in Western Canada.

As part of the continuation of monitoring offshore activities and in an effort to strengthen offshore drilling operations, the Petroleum Directorate and the Department of Labour and Manpower are working in co-operation towards the formulation of a new set of regulations to further ensure that proper and safe operating procedures are adhered to offshore. In other words, we are not saying we are satisfied with these statistics; we are about the same as statistics for the United States, we are better by a considerable margin than the statistics in Western Canada, but it should be pointed out, Mr. Speaker, that the injury rate in Western Canada has been a matter of some concern on the land rigs out there. So we are not satisfied with our injury rate. This is just to show where we are now. With the new regulations we hope to be in a much better position when we make our next report in a year or so.

SOME HON. MEMBERS: Hear, hear.

MR. FLIGHT: Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for Windsor - Buchans has about two minutes.

MR. FLIGHT: Again, Mr. Speaker, a fairly positive statement that we accept. The obvious question of course, was raised by the member for LaPoile (Mr. Neary) when he asked the question, 'is this good enough?' We are very pleased that the safety statistics for our offshore are as good as the

MR. FLIGHT: safety statistics for any other part of the world. But, Mr. Speaker, I would say to the minister that, speaking for this side, we would spare no effort or financial commitment or whatever it would take to guarantee that the workers in our offshore work in the safest possible environment. And one cannot argue with these statistics, they appear good, but I can assure the minister that this side of the House, this Opposition, will support any effort that the minister makes in order to improve the working conditions and the safety of our men working in the offshore.

MR. SPEAKER (Simms): Further statements?

MR. BARRY: Mr. Speaker.

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

MR. BARRY: Mr. Speaker, I guess the point should be made that these statistics also show that the local preference policy in employment of local people does not do anything -

MR. FLIGHT: Why did you not say it in your statement?

MR. BARRY: Well, the hon. member can have a response, by leave if it is necessary - maybe it is not necessary.

SOME HON. MEMBERS: Not by leave.

MR. BARRY: It just shows, Mr. Speaker, that our local employees can do the job that they are hired for offshore.

SOME HON. MEMBERS: Hear, hear.

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

MR. BARRY: I am happy, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

The hon. the Minister of Mines  
and Energy.

MR. BARRY: - because, Mr. Speaker, if all the  
members opposite had their way, our local employees would  
not get the opportunity to work offshore.

SOME HON. MEMBERS: Hear, hear!

SOME HON. MEMBERS: Oh, oh!

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

MR. SPEAKER: Order, please!

A point of order has been raised  
by the hon. the Leader of the Opposition.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. STIRLING: Mr. Speaker, if this minister had  
not been brought to order by the Speaker for doing exactly  
the same thing last week, he could be forgiven. But he  
made a Ministerial Statement, then when he had a comment  
he entered into debate, and he has not started into his  
third or fourth Ministerial Statement. Mr. Speaker, that  
is completely out of order. You brought him to order last  
week about it and you would think he would learn,  
Mr. Speaker.

MR. SPEAKER: To the point of order. Maybe I  
should make a comment here for clarification purposes because  
I have noticed some members of the House - I will not say  
which side or where - have sort of indicated that when a  
minister responds to comments that were made by the member  
replying to the original statement that he should not be  
doing it.

MR. STIRLING: Not enter into debate.

MR. SPEAKER: I agree, he should not enter into

MR. SPEAKER (Simms): debate, but the other point is that some members are wondering how come the minister can even respond. If there is any confusion about that, I can tell hon. members that the minister is obviously entitled to respond -

MR. STIRLING: We have no objection to that.

MR. SPEAKER: Order, please! I am not quite concluded. If a member is entitled to ask questions of a Ministerial Statement, then obviously the minister is entitled to reply to the questions or explanations. But I agree with the hon. member. If the hon. member was entering into debate, I would have called him to order. In any event, he has a Ministerial Statement, I understand.

The hon. the Minister of Mines and Energy.

MR. BARRY: Another other example of Barry's Theorem that when you start touching the nerves over there they cannot stop from jumping up on their feet.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. BARRY: Mr. Speaker, I am happy to be able today to present an optimistic outlook for the Province's iron ore industry this year.

SOME HON. MEMBERS: Hear, hear!

MR. BARRY: Both the Iron Ore Company of Canada -

SOME HON. MEMBERS: Oh, oh!

MR. BARRY: Members opposite do not seem to be at all concerned, Mr. Speaker -

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

MR. BARRY: - that world-wide the iron ore industry is in a decline, in a recession. Members opposite do not seem to be concerned about the future -

SOME HON. MEMBERS: Oh, oh!

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

MR. SPEAKER (Simms): The hon. the minister has a statement to make.

MR. BARRY: - of our Province in the iron ore industry.

Both the Iron Ore Company of Canada's Labrador City operations and the Wabush Mines facilities expect to operate at virtually full capacity through the rest of the year.

SOME HON. MEMBERS: Hear, hear!

MR. BARRY: This news comes as the operations approach mid-year, having already chalked up five months of capacity production. But the timing, Mr. Speaker, the reason that this could not be confirmed for Wabush Mines particularly is because the owners are not required to commit themselves to taking the production until early May, I believe, of each year.

Now, Mr. Speaker, the Iron Ore Company of Canada plans to undertake necessary repairs to some of their aerofall mills and these

MR. L. BARRY:                   repairs will result in some reduction in concentrate production as part of the ongoing maintenance and repairing of these mills, but will not affect pellet production. Because the iron ore industry accounts for more than four-fifths of the province's mineral production as well as the bulk of total employment and direct revenue from the mining industry, it is encouraging to note that the outlook is bright for at least the short-term future.

I also point out that the recent satisfactory settlement of collective bargaining negotiations at both operations should enhance stability over the next few years and also stimulate industrial development in the recently established industrial park which is located between the two mining towns in Labrador.

MR. NEARY:                    Thanks to Mr. Smallwood.

MR. G. FLIGHT:                Mr. Speaker.

MR. SPEAKER (Simms):        The hon. member for Windsor - Buchans (Mr. Flight) has about a minute and a half.

MR. G. FLIGHT:                Thank you, Mr. Speaker. I just want to say that every time the minister stands up he seems to want to indicate that he is surprised about the ability of Newfoundlanders to take jobs in the offshore. Let us tell him, Mr. Speaker, that this side never had any doubt about the ability of Newfoundlanders to work on the offshore.

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

MR. G. FLIGHT:                Our only doubt is that we have some doubt about the ability of this government to prepare them to do that.

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

I do not think the statement had anything to do with offshore. I think it had to do with the iron ore mines. If the hon. member wishes to

MR. SPEAKER (Simms): reply, he has about thirty seconds.  
The hon. member for Windsor -  
Buchans.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. G. FLIGHT: Mr. Speaker, we accept the statement. It flies in the face though - the positive statement and the positive news is here and this government's being so pleased flies in the face of the action of that minister last year, Mr. Speaker, when the iron ore industry in Labrador City was shut down and he refused to get in and to get the thing going the way it should have been. That was the time that he admitted -

MR. S. NEARY: It was too cold for the oil.

SOME HON. MEMBERS: Oh, oh!

MR. FLIGHT: It was too cold for the oil.

MR. SPEAKER: Order, please! Order, please!  
The hon. member has about ten  
seconds to conclude.

MR. FLIGHT: Mr. Speaker, the one comment that I would like to make: As the minister knows,irregardless of this statement, the minister knows that the iron ore industry in Labrador depends totally on the steel industry in the United States. And right now the steel industry in the United States is being threatened, the auto market, the foreign auto import market is taking over, the steel industry is being threatened. If that continues it is going to jeopardize the iron ore industry in Labrador City. And the minister will be well advised to follow the advice that was given him last year to sit down,which he said he was going to do,and try to negotiate markets outside of the United States, markets that do not leave the ability of the iron ore industry in Labrador to operate totally and completely dependent on the American steel industry.



MR. SPEAKER (Simms):  
expired.

The hon. member's time has

and Energy.

The hon. Minister of Mines

MR. L. BARRY:

What the hon. member should do -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! Order, please!

MR. L. BARRY:

- to answer a question raised by

the -

SOME HON. MEMBERS:

Oh, oh!

MR. L. BARRY:

Mr. Speaker.

MR. SPEAKER:

Order, please! Order, please!

A few moments ago I indicated that

this was in order and hon. members agreed. Now there

is some disagreement.

AN HON. MEMBER:

(Inaudible) question (inaudible).

MR. SPEAKER:

Well, that is not for the Chair

to determine. The hon. minister is replying to a question,

I would presume.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please! The hon. minister wishes to respond to the explanation and the points made.

MR. BARRY: Mr. Speaker, he may not have spelled it out in baby talk, Mr. Speaker -

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

MR. SPEAKER: Order, please! A point of order has been raised by the hon. member for Windsor-Buchans.

MR. FLIGHT: Mr. Speaker, I do not often stand on a point of order but, Sir, my understanding is that there is nothing in the Standing Orders of this House that enables a minister to stand the second time on a Ministerial Statement. I did not ask a question, Mr. Speaker. It was rhetorical.

MR. SPEAKER: With respect to your point of order, I believe that I just tried to clarify that five minutes ago and there was agreement. There was no -

MR. FLIGHT: That is what I mean -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order, please! There was agreement. In fact I noticed a number of members nodded when I said that after a member seeks explanation and makes comments that the minister can therefore reply if he wishes, obviously the member to my right would not be entitled to ask explanations or ask questions. And everybody nodded and agreed. That is not our point. Our point is debate. I agree, there should not be debate. So clearly if a member to my right is entitled to respond to a Ministerial Statement, seek explanation, ask questions and so on, then obviously the minister must be entitled to make a response to that if there are questions or explanations.

MR. FLIGHT: But there is no provision in the Standing Orders.

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

MR. STIRLING: A point of order.

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

MR. STIRLING: Just by way of clarification,  
Mr. Speaker.

MR. BARRY: You do not want information.

MR. SPEAKER: Order, please!

MR. STIRLING: Just by way of clarification,  
I believe -

MR. NEARY: We do not want any political  
nonsense.

MR. SPEAKER: Order, please!

MR. STIRLING: I believe that it was not a matter  
for agreement. The Speaker has ruled that a minister, my  
interpretation, was that the Speaker has ruled that a minister  
can respond to any questions but that the minister cannot  
enter into debate. And I understood that that was the Speaker's  
ruling, not that it required our agreement.

MR. SPEAKER: Well, that is not a point of order.

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER: The hon. President of the Council.

MR. MARSHALL: Mr. Speaker, this is intollerable.

MR. SPEAKER: To the point of order.

MR. MARSHALL: If an hon. gentleman gets up in  
this House and gets up on a point of order, as I continually say,  
he should have the authorities with him. I quote Beauchesne -

MR. HODDER: What page?

MR. MARSHALL: For the benefit of the hon. member  
it is 87, that in 87, the comes before the 7 and the 7 after the 8,  
it is paragraph 263, Mr. Speaker.

AN HON. MEMBER: What page?

MR. SPEAKER: Order, please!

MR. MARSHALL: "Statements by Ministers. A brief question and answer period may follow the minister's statement and As Opposition comments." That is aside from the point, Mr. Speaker. The fact of the matter is Your Honour has made a ruling in this House and by the points of order that have been raised by the Leader of the Opposition, immediately before by the member for Windsor-Buchans (Mr. Flight), in effect what they are doing is getting up on a point of order on a ruling of Your Honour, they are getting up on a point of order, Mr. Speaker, with relationship to what Your Honour has said. And that is completely and absolutely out of order, Mr. Speaker, a matter of fact it is in contempt of this House -

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: - and it is contemptuous conduct.

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

MR. SPEAKER (Simms): If I may, I already have a number on the floor. May I sort of try to catch up with those and then if the hon. minister still wishes to raise one I will allow him.

MR. BARRY: To that point of order.

MR. SPEAKER: To that point of order?

MR. BARRY: Yes, Mr. Speaker.

MR. SPEAKER: To that point of order.

MR. BARRY: To that point of order, just briefly, Mr. Speaker, I would like to point out that it is the philosophy on this side of the House for ministers to attempt to give the fullest possible information, and members opposite are obviously ascribing to the philosophy of their party when they -

MR. SPEAKER: Order, please!

MR. BARRY: - were in government before, which was to give as little information as possible.

SOME HON. MEMBERS: Oh, oh!

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MR. SPEAKER (Simms): Well, with respect, now if I can try to catch up with everything that has transpired. The hon. member for Windsor-Buchans (Mr. Flight) sought

MR. SPEAKER(Simms): a ruling, or raised a point of order about whether or not a minister could respond. I think that has been dealt with.

MR. STIRLING: (Inaudible).

MR. SPEAKER: That has been dealt with.

The hon. the Leader of the Opposition rose on a point of order that says you cannot debate - that is my understanding of the point of order - that is true.

The hon. the President of the Council (Mr. Marshall) indicates that perhaps they are questioning the rulings of the Chair. I did not see it that way and I therefore would have to rule there is no point of order there. Are there any further points of order?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further Statements?

MR. BARRY: Mr. Speaker.

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

MR. BARRY: I would like to carry on with just the brief point I was trying to make which was that the member clearly by implication, it was not exactly spelled out by a virtual 'would you please answer this question,' the member implied that he would like to know why government was permitting the iron ore industry to rely upon sales to the U.S. steel markets only. I would submit that the hon. member should do a little reading about the industry and he will find, Mr. Speaker, that iron ore from this Province is marketed all over the world at the present time. He would also find, Mr. Speaker, that the demand of our Canadian steel industry, DOFASCO, STELCO and so forth, provide a large part of a market for

MR. BARRY: Wabush mines, Mr. Speaker, so the hon. member's facts are just totally erroneous.

MR. HODDER: Mr. Speaker.

MR. SPEAKER (Simms): Does the hon. member wish to raise a point of order?

MR. HODDER: Yes, Sir.

MR. SPEAKER: Carry right on.

MR. HODDER: Beauchesne, page 87, states, "A brief question and answer period may follow the Minister's statement and Opposition comments." It would be my understanding, Mr. Speaker, that the minister opposite can answer a non-question by a member from over here, certainly a member from over here should be able to ask a question based on that minister's statement.

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER: To the point of order.

MR. MARSHALL: Look, Mr. Speaker, that is questioning the Speaker's ruling. If the hon. member has read - he could read the whole passage instead of just reading - that is if he is capable of understanding more than one sentence at a time. "The length of this period is left to the discretion of the Speaker by the Standing Orders. Questions asked in this period should be related to the statement and not deal with the general policy of the department."

Now, Mr. Speaker, if I can just say, these are the rules -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MARSHALL: These are the rules of the House of Commons too, Mr. Speaker, where the practices differ somewhat from the practices in this House.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Simms):

Order, please!

MR. MARSHALL:

Mr. Speaker, immediately

following, if we ever get past Ministerial Statements, immediately following this is the Question Period where the hon. member can ask any questions he wishes.

MR. SPEAKER:

With respect to the

point of order, I think I should clarify it now and I will say that, in addition to the quote from Beauchesne which everybody now is aware of because it has been raised here today, we have a precedent in our own House which would supercede that and I will read it for the hon. members so that everybody will understand clearly what transpires. It is a ruling from Hansard of March 12, 1976 and the ruling was by Mr. Speaker at the time. "Before calling Statements by Ministers, the day before yesterday a point of order came up with respect to Statements by Minister which I said I would consider before giving a ruling, and that was whether, when an hon. member, who is entitled to speak after a Ministerial Statement, he make his comments or questions for clarification in more than one entry.



MR. SPEAKER (MR. SIMMS):

"In other words, whether he may have more than one opportunity to make comments or ask questions. I have considered the custom and usage of this House during the past several years and also the internal logic of the rules. Certainly the internal logic of the rules suggest in comments more than one opportunity for comment would tend to lead to debate, and more than one opportunity to ask questions would perhaps be better exercised at the period for Oral Questions.

"Also with respect to the usage of the House, which is the conclusive determinant here since there is no specific Standing Order, the usage and custom have been that these comments or questions be all marshalled and one entry and made at one opportunity.

"Therefore the ruling is that for hon. gentlemen who are entitled to make comments or to ask questions of explanation after a Ministerial Statement, these should in fact be done on one occasion."

I trust that will clear up the point of order.

Any further points of order?

Any further Statements By

Ministers?

The hon. Minister of Transportation.

MR. DAWE:

Mr. Speaker, I feel it incumbent upon me to keep this hon. House informed of this government's ongoing efforts to ensure that the Newfoundland Railway continues to play an important and improved role in our Provincial transportation system.

On November 25, 1980, this government submitted to the federal government a proposal entitled "A programme for the Rehabilitation of the Newfoundland Railway". The Government of Newfoundland and Labrador is very disappointed that we have not received a substantive and detailed reaction from the federal ministry to its major

MR. DAWE: position paper on the revitalization of the Newfoundland Railway. Unfortunately, we have instead received a partial solution and unfair and unfounded attacks on the competence of the research on which the Provincial position is based, research which was done largely by Canadian Pacific Consulting Limited, a firm of railway experts of worldwide renown.

It is particularly disappointing that no reaction has been received to the Province's key recommendation which was the establishment of a new Newfoundland Railway Corporation which, as a federal Crown corporation, would hold all the assets of the Newfoundland Railway but contract the actual operation of the Railway out to C.N. with the full policy and management of the overall Railway system remaining with the new Newfoundland Railway Corporation.

This recommendation was the most important of our recommendations. It would be fair to C.N. who, instead of losing money, would be paid for services rendered through a clearly defined federal subsidy, which would accrue initially to the new Newfoundland Railway Corporation and flow on through to C.N. under a negotiated operating agreement - a mechanism Ottawa has accepted for C.N. Marine. This new Corporation would be the focus of a new vitality for the Newfoundland Railway and would receive the capital contribution associated with any federal revitalization programme.

We have also not had a detailed reaction to any other of the Province's major recommendations, and specifically I speak of a full study of the technical, financial and marketing implications of a conversion to standard gauge be undertaken at an early date. The major-

SOME HON. MEMBERS: Hear, hear!

MR. DAWE: - benefits accruing from a standard gauge programme were pointed out by the Province and the case was made that the

MR. DAWE:

incremental cost of such a programme would be relatively small, given that most of its capital cost would have to be incurred through ordinary repair and maintenance in any event. In contrast to the extra \$8 million investment it would take to convert to standard gauge, over some ten years, the federal government's container program itself is projected to cost \$50 million; this would be more than enough for an exhilarated program of conversion to standard gauge with completion by 1985, not 1990 as proposed originally by the Province.

In place of detailed comment on this proposal, what we have had is an "all container" plan for the Newfoundland railway which would, in the words of a press release from the Honourable Jean Luc Pepin dated March 24th, 1981, see 'nearly all Newfoundland rail traffic containerized within three years.' While the Province agrees that there is a market for containers, which have a number of desirable intermodal and service characteristics, the Province's position is still that the introduction of container services must be subsidiary to the main thrust of revitalization-standard gauging.

In the Province's position paper, it was pointed out that a massive switch to containers might have certain irreversible effects and that any proposal for revitalization of the Newfoundland Railway must be preceded by the most careful technical, economic analysis and must even then not start an irreversible process which will unduly lessen our ability to switch our emphasis and strategy to an alternative means of revitalization of the railway.'

The containerization plan, as outlined by the federal government, appears not only to put too much emphasis on containers but appears to have such irreversible elements. While the federal containerization plan as outlined to date appears to keep the Gulf rail-car

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MR. DAWE: ferry for a longer period than originally planned, it is noted that C.N. Marine's new class vessel, the so-called Gulfspan vessels will not be designed to carry rail cars.

It also appears that the truck-to-truck facility will be kept intact for some time. However, here again C.N.'s full intentions are unclear. It is important that even if some reductions of truck-to-truck activities can be shown to be justified at Port aux Basques because of a switch of box-car freight to containers, that any such reduction be fully justified and that the facilities and a strong nucleus of workers be kept in any event. Some freight will continue to come in box-cars and we must not start an irreversible process.

MR. DAWE:

We must at all times be ready to return to the truck-to-truck mode in a major way for the medium term, if the containerization experiment should fail.

Our concerns in this respect are greatly enhanced by the fact that, as pointed out previously, the freight that can be carried in containers is relatively limited and it is freight for which the tractor-trailer and direct water modes are most competitive (i.e., groceries, household goods, furniture etc.). In contrast, containers cannot carry the vast part of the freight that the Province's study showed present the best potential traffic for the railway - new cars, construction steel, oil field equipment, general construction equipment, newsprint, etc.

MR. DAWE: modes to influence its position with respect to the Newfoundland railway. The Province takes this position not only because the promises made at the time of Confederation were solemn ones and should not be repudiated by the federal government merely because the present impact is, in their view, more onerous than anticipated in 1949. The Province's position is also based on the fact that the people of the Province are entitled to both a good rail as well as a good highway system, as is the case in all other provinces.

Mr. Speaker, as a supplement to this Ministerial Statement, I have included as well three pieces of correspondence that I have had with Mr. Pepin and the federal Transport Department. In the first case of a letter I wrote to him on telex on April 21st which asked for a meeting, he and I were to be at a meeting in New Brunswick and we did have an hour or so together and that letter of the 21st formed the basis for that meeting. And a subsequent letter that I sent to him on May 5th which referred to the letter and to the meeting. And today I telexed another letter and eventually forwarded it by mail as well to him today which referred again

MR. DAWE: to the whole series of meetings and letters that we have had. To date there has been absolutely no response from the federal minister or from his department relating to any initiatives that we have had with regard to vitalizing the Newfoundland Railway.

And if I may, Mr. Speaker, in one of these letters, a letter dated the 5th of May - I would like at this time to refer to an article that appeared in one of the daily papers of yesterday, I believe, which referred to ongoing negotiations between the federal Transport Minister and this government as it relates to removal, or potential removal, or future removal of the Argentia ferry, the North Sydney to Argentia ferry, and the article indicated that this Province was negotiating, or that the federal government was negotiating with this Province for that particular withdrawal.

I refer the House and hon. members to that letter of the 5th. and in item (c) it refers specifically, and if I may, Mr. Speaker, I would like to read it: "The Province cannot consent under any circumstances to agree to the withdrawal of the Argentia Ferry Service from North Sydney. This service provides a crucial role in the Tourist Industry of this Province. It also provides an instrumental mode of transportation to the Avalon Peninsula. Your draft document left with this Department on March 24, 1981, indicates that the projected economic growth of this section of the Province will continue to grow over the next number of years, and it would not seem rational therefore to remove or curtail a transportation mode that would enhance this growth. The removal of this service would act negatively on the economics of Eastern Newfoundland in particular and on the whole Province in general. This government can only

MR. DAWE: view this proposal  
with grave concern."

I would just like to mention, Mr. Speaker, that if Mr. Pepin thinks that that in any way suggests that this Province is considering entering into his formula of trade-offs, or getting into the area of trading off one basic service or essential service in this Province in transportation matters for the sake of establishing a basic service in another area, then I suggest that either Mr. Pepin is - and I have problems with the language in which we speak, which is English - or his translators have trouble interpreting what that letter meant.

MR. NEARY: Do not be so nasty.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. DAWE: Mr. Speaker, I would like to table the letters to indicate what has been going on with regard to negotiation between this Province and the Federal Department of Transport and the federal government related to railway matters and indicate to this House and to hon. members that it is very difficult to sit down and to talk about and to plan a strategy for transportation not only in railway but in other matters in this Province in areas that are of joint concern to the Province and to the federal government unless we have the opportunity to actually sit down and talk.

And there is an indication from my letter which was sent today, again, specifically suggesting



MR. DAWE: a date and an agenda for a discussion between this Province and the federal government on railway matters. I would like to table that.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): Order, please! Order, please!  
I would like to welcome on behalf of all hon. members, fifty Grade XI students from Eastport Holy Cross Central High School with their teacher, Mr. Howell, from the district of Terra Nova.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the member for St. Barbe has about five and one-half minutes to respond.

MR. BENNETT: Thank you, Mr. Speaker.  
I probably may not need all that time to respond to such an elaborate statement. But one thing I would like to suggest to the minister, I thought that the minister did have a fair amount of PR whereby he could communicate with Ottawa to the benefit of all, especially the Province which needs co-operation with Ottawa so desperately. It seems to me that in the past we have not had a lot of co-operation from this government with regard to dealing with Ottawa. And I am afraid now that this minister might very well be getting off on the wrong track with regard to something that is so all-important to this Province, namely, transportation.

He is speaking today, of course, of the rail system here generally and, of course, his portfolio is obviously to cover transportation across the Province generally.

It seems to me, Mr. Speaker, that Ottawa is beginning to question the wisdom of trusting this government with anything, including transportation. It is beginning to distrust the wisdom of any kind of expenditure into a province which on one hand brags about its being so

MR. BENNETT: fluid and flush and all of a sudden coming into great riches. It seems to me, Mr. Speaker, that possibly some of the other provinces might be starting to rebel against the attitude of a province that is bragging on the one hand of being so flush and then on the other hand wants Ottawa to spend \$400 million on a railway system.

Mr. Speaker, it is not very many years ago that all across the nation, and indeed, around the world, railway systems were becoming obsolete. They were definitely becoming obsolete and a thing of the past. But today it seems to me that railways are coming back into use again because of the need for mass transportation.

Mr. Speaker, I would like to suggest that in the twenty years that we had a Liberal administration, that there was a lot of co-operation and a lot of expenditure in this Province related to transportation, and in the last eight or ten years we have developed such a confrontation with Ottawa that we are not able to get money enough -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Baird): Order, please!

MR. BENNETT: - we are not able to get co-operation enough to even get the things that seem to be so essential-like the railway. We are not able to get the co-operation.

Now, Mr. Speaker, in the letters here that went to the federal minister from the provincial minister,

MR. BENNETT: there is a suggestion that they are dragging their legs in responding.

MR. NEARY: Not one word in this statement or letters about lay-offs, not a word.

MR. BENNETT: They are suggesting that Ottawa drags it legs. Now, Mr. Speaker, last Fall, the middle of November, a gentleman, an assistant to the minister in Ottawa, came down to meet with the government, looking for the proposals that this government would submit to Ottawa with regard to transportation for the Province. I was told myself, Mr. Speaker, that Ottawa had received from all the other Atlantic Provinces - in the middle of July they had received the recommendations from the other provinces but still, until the middle of November, they had received absolutely nothing from this government here related to their wishes for transportation and Ottawa had to send a representative down here to look for their proposals that would be coming.

Somewhere in that correspondence, the minister suggested that the McPherson Report recommended that Newfoundland should be a special case. Well, Mr. Speaker, I believe that Newfoundland has been a special case; I am not trying to protect Ottawa, I wish we could wake up tomorrow morning and have a full-fledged railway system across the Province and the jobs salvaged for those people who might lose their jobs through containerization. But this Province did agree with containerization and in my opinion it is a good thing where containerization is a thing not of the future, it is a thing that is here in most of the rest of the world, and through containerization some of the rest of this Province might be able to be served other than the towns that run along from Port aux Basques to St. John's. And we have other places that need service and we can have it through containerization, we can have it through a upgraded system of road work, and I doubt very much if we will get that net work if we have to depend on this government where its obligation lies where they

MR. BENNETT: cannot even find any dollars not even for dust control let along the upgrading of the road network.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER (Simms): Any further statements?

ORAL QUESTIONS

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

MR. STIRLING: Mr. Speaker, I have a question for the Minister of Labour and Manpower (Mr. Dinn), the very beaming Minister of Labour and Manpower.

MR. HODDER: Chewing his cud, chewing his cud.

MR. STIRLING: Mr. Speaker, I would like to ask the Minister of Labour and Manpower if it was true that when he first addressed, after being put in as the Minister of Manpower, the Federation of Labour, threw away his prepared notes and said to all and sundry there, 'If ever you lose confidence in me, if you do not want me to be Minister of Labour, just let me know and I will resign.'? Is that true, Mr. Speaker?

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

MR. DINN: Mr. Speaker.

AN HON. MEMBER: Yes or no.

MR. DINN: The hon. the Leader of the Opposition is playing games.

MR. STIRLING: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. Leader of the Opposition.

MR. STIRLING: Mr. Speaker, I would like to ask the Minister of Labour and Manpower whether or not he feels that it is important, regardless of what he said in his first speech to the Federation of Labour, does he regard it as important

MR. STIRLING: that he have the confidence of labour in order to carry on as the Minister of Labour?

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

MR. DINN: Mr. Speaker, I feel that it is important to have the confidence of all of the people of Newfoundland. It may not be practical but I feel that it is important.

MR. STIRLING: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. Leader of the Opposition.

MR. STIRLING: Mr. Speaker, yesterday, if you listened to the news media and if you had not been here for the last couple of days, you would get the impression that the minister, of course, was just writing a little letter on behalf of some concerned people and the only people who were against him were the Opposition and some twisted individual who had a private vendatta going with him from the IBEW

MR. DINN: Shame! Shame!

MR. STIRLING: A personal vendetta, only two or three people.

He did not mention that the Board itself viewed with alarm and considered it an imposition. Now in view of the fact that this morning the most powerful, largest union in the Province, representing the most important industry, by the government's own definition, having the widest distribution of workers, that union has called upon the minister to resign quickly, cleanly, and to do it before he carries on any further embarrassment to the government. Does the minister now intend to respond to the wishes of this large union?

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

MR. DINN: Mr. Speaker, I regret that the Leader of the Opposition referred to one of the most prominent union leaders in this Province as a twisted individual. I certainly have not, would not, and could not.

MR. NEARY: Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, getting back to the thing that triggered this whole controversy involving the Minister of Labour (Mr. Dinn) interfering with the judicial process in this Province, would the hon. gentleman tell the House if it was proper, if he thought it was proper for him to write a letter to the Labour Relations Board condemning the union, as he did in the last paragraph of his letter, condemning the IBEW and the unit of employees they

MR. NEARY: were trying to get certified, to write the Labour Relations Board and not give the union an opportunity to respond or not have the courtesy to send a copy of his letter to the union-and it would have never seen the light of day only it was raised in this House and the letter tabled in this House - does the hon. gentleman think that is proper to sneak around behind the union's back?

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

MR. DINN: Mr. Speaker, the hon. Minister of Labour does not generally sneak around behind anybody's back. The Labour Relations Board is made up of people representing unions and people representing management and has an unbiased and good - great, I might say -

MR. HANCOCK: Had an unbiased stand until you wrote that letter.

MR. DINN: The hon. Minister of Labour and Manpower is not in the habit of sneaking around threatening

MR. J. DINN:

people, unlike the hon. former Minister of Social Services in his actions on Bell Island during 1970/71.

And, Mr. Speaker, the last paragraph of the letter that the minister wrote to the Labour Relations Board says, 'I would be pleased to hear your reaction and response to this important question'.

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

MR. J. DINN: The hon. member for LaPoile (Mr. Neary) should learn to read or get his facts straight.

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

MR. S. NEARY: Mr. Speaker, the last paragraph of the letter says this, "Any extension of powers of the union under those circumstances"- the circumstances outlined by the minister - 'by including additional employees in a bargaining unit represented by the same union where the health, safety and security of the people of the Province could be affected, surely deserves a thorough hearing."

Mr. Speaker, what does the hon. gentleman mean by that? 'Deserves a thorough hearing'. Did the Labour Relations Board do anything wrong in the first place? Did they do anything improper for which the hon. gentleman is now directing them to have a thorough hearing into something? What is it he wants a thorough hearing into?

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

MR. J. DINN: Mr. Speaker, there is no direction given to the Labour Relations Board. What the minister is asking here is 'I would be pleased to hear your reaction and response to this important issue'. Now the hon. member for LaPoile (Mr. Neary), who is an authority on directing people,



MR. J. DINN: who directed people for several months and years when he was the Minister of Social Services, who had a book written about him called 'The Mifflin Report', who badgered people to the point where they were scared of losing their jobs, would know all about these kinds of things. But the Minister of Labour and Manpower (Mr. Dinn) does not do that sort of thing.

MR. L. STIRLING: A point of order, Mr. Speaker.

MR. SPEAKER (Simms): A point of order has been raised by the hon. the Leader of the Opposition.

MR. L. STIRLING: Mr. Speaker, the hon. member cannot carry on with that kind of an attack on a member in this House when he has been asked a question.

SOME HON. MEMBERS: Oh, oh!

MR. W. MARSHALL: A point of order, Mr. Speaker.

MR. SPEAKER: A point of order, the hon. President of the Council.

MR. W. MARSHALL: Mr. Speaker, just about every question that has been asked in this House today constitutes an attack on the hon. the minister. The fact of the matter is if you ask a question in that frame you are going to get a response in the same frame.

MR. S. NEARY: Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. S. NEARY: There is a statement of government policy for you.

MR. SPEAKER: I would rule there is no point of order.

The hon. member for LaPoile.

MR. S. NEARY: That is right, there is no point of order, Mr. Speaker. And I do not mind the hon. gentleman getting nasty and low. He learns that from

MR. NEARY: the President of the Council (Mr. Marshall). The fact of the matter is, Mr. Speaker, that the hon. gentleman is in trouble with the trade union movement and the people of this Province. And the government can try to prop him up all they want, he is in serious trouble. He has no choice but to resign. And the hon. gentleman is refusing to answer the questions and that is coming through loud and clear.

Mr. Speaker, I would like to ask the hon. gentleman why he had to express personal opinions to the board on a strike that took place a year ago. To quote from his letter, when he said that, "The union held up for ransom the people of this Province," was that statement, Mr. Speaker, not designed to colour the board's thinking of the IBEW? For what other reason would a statement of that nature be made, Mr. Speaker? To quote again from the hon. gentleman's letter, "holding up to ransom." Can the hon. gentleman elaborate on that and explain what he meant by that statement?

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

MR. DINN: Well, Mr. Speaker, the hon. member for LaPoile should know that there was indeed a strike in 1979/80 and that I received a letter from the Mayor of Port aux Basques, Mr. R.R. Keeping, Mayor, who said, and I quote from the telegram, that he has experienced outages, "11:00 A.M. December 10th., to 9:00 A.M. December 11th., and a threat from Newfoundland Light and Power employees that further deliberate outages can be expected." Mr. Speaker, I received many concerns from many people in this Province; as a matter of fact, Mr. Speaker, last year, I believe somewhere around this time, I received concerns from certain people in this Province about

MR. DINN: something that was happening between labour and management. In this particular situation -

MR. HANCOCK: Do not be so nervous, boy.

MR. DINN: - it was labour and management that were involved, Mr. Speaker, and I took an action before the board. I lodged a complaint before the Board.

And, Mr. Speaker, not only was that right and proper but it is my responsibility. The Labour Relations Board is responsible for administering certain sections of the Labour Relations Act, and Mr. Speaker, they have done that extremely well in this Province. It is my responsibility, overall responsibility, of administering the entire act, Mr. Speaker. And, Mr. Speaker, when I get complaints, when I get positions put forward to me, when I hear from people, whether it is labour and management or whether it is just management -

MR. THOMS: And you will write everybody, will you?

MR. DINN: - Mr. Speaker. Mr. Speaker, when I get complaints, Mr. Speaker, I take action, especially when it is in the public interest because that is what we are elected to do. People on this side of the House are elected to do things, and Mr. Speaker, we do not sneak around corners and we do not threaten people with their jobs or anything else. Mr. Speaker, what we do is we write letters, we communicate, and Mr. Speaker, we generally get replies.

Mr. Speaker, also I would like to say this, that I very much regret, very much regret -

MR. HISCOCK: Writing that letter.

MR. DINN: - very much regret that the Labour Relations Board misinterpreted my letter.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: No, no, they did not misinterpret it. They did not misinterpret it. They interpreted it properly, so did everybody else.

MR. DINN:

I very much regret, yes because -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Simms):

Order, please! Order, please!

MR. DINN:

Mr. Speaker, the Labour Relations Board is a body that is just beyond - it is just beyond, Mr. Speaker -

MR. STIRLING:

How can you explain it?

MR. DINN:

- beyond reproach is what that board is.

Mr. Speaker, the decision had been

made -

MR. STIRLING:

How come it was unanimous?

MR. SPEAKER:

Order, please! Order, please!

MR. DINN:

Mr. Speaker, I do not know what discussions were held when the board met on - whenever it met. And, as I say to the Leader of the Opposition (Mr. Stirling), I very much regret the fact that they misinterpreted what I wrote in my letter. I very much regret that. But, Mr. Speaker, that will not, that will not stop me from administering the Labour Relations Act, which is my responsibility. Whether I get complaints from unions, companies, employees, Mr. Speaker, employees - I took an action last year, I put in an action, lodged a complaint to the board against a company and a union, Mr. Speaker, both last year. And not only that, Mr. Speaker, but it was corrected in that situation.

MR. DINN: And, Mr. Speaker, I intend, and always will intend to take whatever action is necessary, as Minister of Labour of this Province, to maintain in the public interest that all things are done properly. And in this case, Mr. Speaker, I have no question that the Labour Relations Board acted not only properly but excellently.

MR. NEARY: Mr. Speaker a supplementary.

MR. SPEAKER (Simms): A final supplementary. The hon. member for LaPoile.

MR. NEARY: Of course the Labour Relations Board acted in a decent way when they denounced the hon. gentleman for trying to interfere with the proceedings of the Board. Now let me clear up that matter about Port aux Basques. The hon. gentleman keeps dragging that in. That has nothing to do with this case, Mr. Speaker.

MR. DINN: Oh, I see. Nothing at all.

MR. NEARY: The minister is aware that the short staffing in Port aux Basques area was what caused the problem and the outages in that area - it was short staffed. And if the hon. gentleman was concerned about it what he should have done is not write to the Labour Relations Board and condemn the union, he should have written the company and condemned the company for being short staffed in Port aux Basques.

So, Mr. Speaker, I want to go back to my original question that I asked the hon. gentleman. Only for the Opposition this matter would have never seen the light of day. The union would not know what had struck them if the minister's letter had been allowed to stand on the record of the Labour Relations Board.

MR. MARSHALL: A point of order.

MR. SPEAKER: A point of order has been raised.

MR. MARSHALL: The hon. gentleman is making a speech. This is the Question Period, Mr. Speaker. It is not a debating time.

MR. SPEAKER (Simms): That is a legitimate point of order. The hon. gentleman, I am sure, was about to ask his question, was he not?

The hon. member. A supplementary.

MR. NEARY: I was going to ask the hon. gentleman why he did not afford local 1620, the union involved in this matter, an opportunity to natural justice by responding to the letter that Mr. Templeton had written the hon. gentleman, and the hon. gentleman then took it and twisted it and wrote the Labour Relations Board condemning the union. Why was not the union given, in British fair play, an opportunity to respond to the charges that were made in both of those letters?

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

MR. DINN: Mr. Speaker, simply because - and I have not to this point in time, in writing, as I have done with the Board - I have not received an explanation from the Board. I do not know what it is all about.

MR. NEARY: You got your answer from the board.

MR. HANCOCK: You were ordered to mind your own business.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. THOMS: You should have been cited with contempt of court.

MR. DINN: As a matter of fact, there is a very interesting point that the hon. member for Grand Bank (Mr. Thoms) brought up, spewing his information across the House. He does not get up and ask questions as is normal and proper, but he gets and spews his information across the

MR. DINN:

House.

MR. THOMS:

You never answered the question.

MR. DINN:

He did not ask the question, Mr. Speaker, but I will answer the question anyway. I have answered the hon. member for LaPoile (Mr. Neary) . I will answer the question for the hon. member for Grand Bank (Mr. Thoms). This situation was brought up in public not by me but by the hon. the member for LaPoile (Mr. Neary) and others.

MR. STIRLING:

A point of order, Mr. Speaker.

MR. SPEAKER (Simms):

Order, please!

A point of order has been raised by the hon. the Leader of the Opposition.

MR. STIRLING:

The minister can respond to a question that he has been asked, but he cannot respond to a question that he has not been asked; and he was just answering a question he was anticipating from a member on this side.

MR. DINN:

He was breaking the rules of the House and shooting questions across the floor.

MR. SPEAKER (Simms): I think there is probably a legitimate point of order there. The hon. the member for LaPoile (Mr. Neary) asked the question. The hon. the Minister of Labour and Manpower (Mr. Dinn) should be answering that question. I am not sure if he should be answering a question asked by somebody across the floor.

MR. DINN: Now, Mr. Speaker, as I indicated, I answered the hon. the member for LaPoile in the first part of the answer and the hon. the member for Grand Bank (Mr. Thoms) interrupted, out of order, as he usually is in this House, because he obviously does not know the rules. The learned gentleman should know the rules. But I answered the question for the hon. the member for LaPoile. And the hon. the member for Grand Bank has a question, I believe.

MR. SPEAKER: The hon. the member for Terra Nova I indicated I would recognize here.

MR. LUSH: Mr. Speaker, I have a question for the Minister of Labour and Manpower.

Maybe the Minister of Labour and Manpower could help clarify this whole situation a little better about his blatant interference with the decision-making process of the Labour Relations Board by specifically indicating to hon. members what he was referring to on page two on that last line when he suggested in the letter, "I would be pleased to hear your reaction and response to this important question." I wonder if the minister could specifically and clearly indicate to hon. members what was the specific question? What was the question?

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

MR. DINN: Mr. Speaker, the question as to why there was not a hearing, that is all.



MR. NEARY: That is none of your business.  
That is the Board's operation of its own affairs.

MR. DINN: That is right, the Board does operate. And the decision was already made. And there was no problem with the decision being made. The fact of the matter is I received a letter from -

MR. NEARY: The matter was before the courts. The decision (inaudible).

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

MR. DINN: The hon. gentleman from LaPoile (Mr. Neary) is after getting burnt two or three times this week, Mr. Speaker.

MR. NEARY: You do not know what you are talking about.

MR. SPEAKER: Order, please!

MR. DINN: He should go out and read his Mifflin Report and see how a minister should not act.

MR. NEARY: (Inaudible).

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

I must ask the hon. the member for LaPoile now at this stage to restrain himself. He has had an opportunity to ask his questions, and it is very difficult to get answers and for the Chair to control the House when there is -

MR. NEARY: (Inaudible).

MR. LUSH: Most difficult, Mr. Speaker.

MR. SPEAKER: Order, please!

There is also another ruling. When the Chair is standing and the Speaker is speaking, nobody else is to speak. The hon. member is a veteran. He should know that. So I would ask him please to restrain himself. I would appreciate a little less shouting across the floor.

The hon. the Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, the hon. gentleman from Terra Nova (Mr. Lush) has all three letters, I presume.

MR. DINN: They were tabled in this House. Or if he does not have them, he should have them. And there was a letter that I received, and in that letter it queries certain things that were done.

MR. LUSH: I do not see a query.

MR. DINN: You do not see a query? You do not see statements made -

MR. LUSH: It is all information.

MR. DINN: - allegations made to the fact that certain things were done without hearings and that kind of thing?

MR. LUSH: That is not queries, that is information.

MR. DINN: Yes, well that is information. But the fact of the matter is -

MR. LUSH: There is a distinct difference.

MR. DINN: There may be a slight difference to the hon. member but I do not want anybody writing me letters making queries and allegations about the Labour Relations Board without an answer, because that Board is administered - that Board is under the Labour Relations Act, an act which I administer, Mr. Speaker. I have to take my responsibilities seriously. I wish the hon. the member for Terra Nova (Mr. Lush) would do likewise.

MR. LUSH: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A supplementary, the hon. the member for Terra Nova.

MR. LUSH: Now, Mr. Speaker, the minister has clearly indicated that he was interfering -

SOME HON. MEMBERS: Oh, oh!

MR. LUSH: - because he says that he was asking for a hearing when, Mr. Speaker, that particular case was

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MR. LUSH: before the courts. But,

Mr. Speaker, if that is the case -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. LUSH: - there are at least two  
points

MR. T. LUSH:

of information here. I would suggest to the minister there are no queries, no questions asked by the vice-president and general manager of Newfoundland Light and Power, just relaying certain information to the minister, no questions, no queries.

The minister in writing the Labour Relations Board also alludes to the extension of powers. So is the minister suggesting in this letter, then, is the purpose of this letter to influence the Labour Relations Board to not extend, to not give extensions of powers to the IBEW?

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

MR. J. DINN: Absolutely not, Mr. Speaker.

MR. G. FLIGHT: Mr. Speaker.

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

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

MR. SPEAKER: Is this a supplementary?

MR. G. FLIGHT: I will yield, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Terra Nova.

MR. T. LUSH: Now, Mr. Speaker, would the minister not acknowledge to hon. members that the tone and the language of his letter certainly indicates that in the letter he is coming down on the side of Newfoundland Light and Power?

SOME HON. MEMBERS: Hear, hear!

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

MR. J. DINN: Mr. Speaker, the tone is in the ear of the beholder.

MR. G. FLIGHT: Mr. Speaker.

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

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

MR. G. FLIGHT: I will yield, Mr. Speaker.

MR. SPEAKER: The hon. member for Windsor -  
Buchans yields to the hon. member for Terra Nova.

MR. T. LUSH: To the contrary, Mr. Speaker.  
Would the minister indicate that the tone and the rather  
strong language -

SOME HON. MEMBERS: Oh, oh!

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

MR. T. LUSH: Mr. Speaker, would the minister  
not acknowledge that the tone and the rather strong lang-  
uage brought out in the last paragraph of the letter  
written April 20th., 1981, when he uses the terms of 'holding  
the public up to ransom and any extension of the powers to  
this union in these circumstances' - all of these sorts of  
things by the tone of that language, by the strong words  
there, would the minister not acknowledge that this clearly  
is indicating that he is coming down against the union or  
at least is trying to discredit the union, the FBEW ?

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

MR. J. DINN: Mr. Speaker, I cannot help it if  
the hon. member for Terra Nova (Mr. Lush) is tone deaf.  
The fact of the matter is that he may interpret these words  
as strong words. I do not interpret them as strong words,  
Mr. Speaker. It is a letter to the Labour Relations Board  
making certain - or passing on information about certain  
allegations that were made. And, Mr. Speaker, asking the  
Labour Relations Board in the last sentence, 'I would be  
pleased to hear your reaction and response to this important  
question'.

MR. J. DINN: Now, Mr. Speaker, there is also something else that is important. The fact of the matter is that this is before the courts. And, Mr. Speaker, it is unfortunate that the hon. member for LaPoile (Mr. Neary) decided that this should be brought into the public eye before-

MR. S. NEARY: Unfortunate for you.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. J. DINN: It is certainly not unfortunate for me. It is unfortunate because it should not be done. The hon. the member for LaPoile should know - I mean with all of his parliamentary experience-that this

MR. DINN: should not be done. Anything that is sub judice, as the hon. member for Grand Bank (Mr. Thoms) would know, should not be brought into the public until it is dealt with that way. Unfortunately, -

MR. NEARY: (Inaudible) facts.

MR. DINN: - I have been put into a position, Mr. Speaker, of having to defend myself in this House before the courts have dealt with this very serious situation.

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

MR. FLIGHT: I yield, Mr. Speaker.

MR. SPEAKER: Yield again. The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, in view of the fact that the purposes of this letter were, one, to come down on the side of management, and secondly, to discredit the union, mainly the IBEW, has the minister made any attempt to apologize to that particular union?

MR. NEARY: It is too late.

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

MR. DINN: Mr. Speaker, I do not interpret that letter as coming down on the side of anyone. The fact of the matter is -

SOME HON. MEMBERS: Oh, oh!

MR. DINN: - the fact of the matter is that I needed information and I sought information, I have not received a reply to my request.

SOME HON. MEMBERS: Oh, oh!

MR. DINN: I have not received a reply to my request.  
'I would be pleased to hear your reaction in response -

MR. LUSH: To this important question.

MR. DINN: -'to this important question,' as to the allegations that were made with respect to the application. And so, Mr. Speaker, I am still waiting for that reply.

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

MR. FLIGHT: Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask the minister, having listened this past couple of days to both what is going on in this House and outside of this House re this particular issue we are talking about, and the minister would know, better than anybody else in this House, that in order to perform as Minister of Labour with any degree of acceptability the minister has to retain and has to have the confidence of the labour movement of this Province and management of this Province.

Now would the minister, in view of the fact that the representative of the IBEW has called for his resignation, told him categorically that he has lost confidence, that the President of the Fishermen's Union, Mr. Cashin, representing a great sector of labour in this Province, has called for his resignation (inaudible) stating emphatically they have lost confidence, does the minister still believe that he can retain the position of Minister of Labour and still perform with any credibility in this Province in that very sensitive post?

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

MR. DINN: Mr. Speaker, with -

MR. NEARY: (Inaudible) one of the most serious things you can do as minister, apart from (inaudible).



MR. DINN: The hon. member for LaPoile (Mr. Neary) continues to break the rules of the House.

MR. SPEAKER (Simms): I think they are just having a quiet conversation.  
The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, with respect to the hon. member for Windsor-Buchans (Mr. Flight) and my performance as Minister of Labour, I would -

MR. FLIGHT: In the future.

MR. DINN: - remind the hon. member for Windsor-Buchans that this year, 1981, there have been less man-days lost due to labour strife in this Province -

SOME HON. MEMBERS: Hear, hear!

MR. DINN: - I believe than any of the preceeding years since I can remember -

MR. FLIGHT: I am talking about the future.

MR. DINN: - since I can remember labour negotiations taking place in this Province.

MR. FLIGHT: As of last -

MR. DINN: One of the lowest times that we have had the least number -

MR. NEARY: What about the Workers' Compensation Board (inaudible).

MR. DINN: - of man-days lost, I believe.

MR. LUSH: That is in spite of you, not because of you.

MR. DINN: I will check the record, Mr. Speaker, the least number of man-days lost and that comes with only a little over a year of experience as Minister of Labour and Manpower -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. DINN: - we had the least number of man-days  
lost in this Province in this point in 1981.

SOME HON. MEMBERS: Hear, hear!

MR. DINN: And that is performance.

MR. SPEAKER (Simms): The hon. member for Grand Bank.

MR. NEARY: No wonder the President of the  
Council (Mr. Marshall) would hang his head in shame.

MR. THOMS: Anywhere else in the world  
where the British Parliamentary system is conducted the  
minister would resign -

MR. NEARY:

He has no courage, no guts.

MR. THOMS:

- on this matter a long time ago.

Mr. Speaker, I have a question I would like to direct to the minister. He speaks on two occasions in his letter that a hearing should have been held. Would the minister indicate who decides whether or not there is going to be a hearing in these circumstances? Is it the Board or is it the minister?

MR. SPEAKER (Simms):

The hon. Minister of Labour and Manpower.

MR. DINN:

Mr. Speaker, in this case when the board decided not to hear, which was in their right, the company has the right and have taken that right to go to the courts and so now the courts will decide.

MR. NEARY:

Well, why did they go to the minister?

MR. THOMS:

Mr. Speaker, a supplementary.

MR. SPEAKER:

A supplementary, the hon. member for Grand Bank.

MR. THOMS:

Yes. a supplementary, Mr. Speaker.

MR. NEARY:

They tried to suck the minister in -

MR. THOMS:

In other words, the minister -

MR. NEARY:

- representing anti-labour, representing big business.

MR. THOMS:

In other words, it is not up to the minister at all whether or not there is a hearing. The minister is prepared to admit that, that it is not up to him whether or not there is a hearing.

Mr. Speaker, I have a supplementary I would like to direct to the President of the Council in the absence

MR. THOMS: of the Premier who is in, I understand, in New York somewhere. But in light and in view of the stated policy of the Minister of Manpower and Labour that it is his policy that he would interfere, he would write anybody in this Province, and when he says anybody I would assume that if somebody came and complained that he did not get a fair hearing -

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

MR. SPEAKER (Simms): Order, please! A point of order has been raised by the hon. Minister of Labour and Manpower.

MR. DINN: The hon. member for Grand Bank (Mr. Thoms) is allowed to quote me, he is certainly allowed to quote my communications and he is allowed to quote me, but he is not allowed to quote me incorrectly.

MR. NEARY: Do not be so foolish.

MR. DINN: The hon. Minister of Labour and Manpower did not interfere in any way, shape or form.

MR. NEARY: Well, that is only your opinion. You did interfere.

MR. SPEAKER: With respect to the point of order, there is no point of order. The hon. minister has taken the opportunity to clarify remarks that have been attributed to him.

MR. THOMS: Mr. Speaker, a supplementary.

MR. SPEAKER: The hon. member for Grand Bank has a supplementary question.

MR. THOMS: Yes, I do. In my opinion the minister did interfere and I think this letter proves that he interfered. But in view of the stated policy by the minister that he would - certainly he said he would write to anybody in the Province who brought a complaint to him; I would take it then, for example, that he would write the Chief Justice of the Supreme Court of Newfoundland, either Appeal or Trial Division if somebody had a complaint.

MR. THOMS: Now in view of the - and the stated policy that obviously is contained in this letter as far as writing to this judicial board is concerned, as far as his opinion as far as labour unions are concerned, my question to the President of the Council (Mr. Marshall) is, is this now the policy of this administration that they would take up the cudgel for anybody, they would write to any judicial body on behalf of somebody if they thought, if the government thought that they had a legitimate reason to complain? Because if this is not the stated policy that the minister stated, that is not the stated policy, then the minister has no alternative but to resign.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Simms):  
Council.

The hon. President of the

MR. MARSHALL:  
question, Mr. Speaker.

That is a rather convoluted

AN HON. MEMBER:

It is a good question.

MR. MARSHALL:  
a convoluted answer. Let me say at first in this administration, be it in labour matters, municipal affairs, education, all the ministers and all of the government members on this side we would approach anyone in the interest of the people of this Province. I am sure the hon. Minister of Manpower and Labour (Mr. Dinn), for instance, would approach on behalf of labour and would approach on behalf of management, because that is his function to maintain a balance. In answer to the question of whether or not we would write to a judge? That is not the practice, Mr. Speaker, of this party; we usually leave that to the Liberal party and I think there are plenty of instances of that having occurred up in Ottawa -

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:  
still on the benches of the Trudeau administration.

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MR. NEARY:

called a judge.

They would have resigned if they

MR. THOMS:

A supplementary, Mr. Speaker.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Simms):

Order, please!

The time for Oral Questions has

expired.

NOTICES OF MOTION

MR. SPEAKER (Simms):

Order, please!

The hon. Minister of Fisheries.

MR. MORGAN:

Mr. Speaker, I give notice that

I will on tomorrow ask leave to introduce a bill entitled: "An Act To Amend The Fishing Ships (Bounties) Act".

SOME HON. MEMBERS:

Hear, hear.

MR. SPEAKER:

Further notices?

The hon. Minister of Finance.

DR. COLLINS:

Mr. Speaker, I give notice that

I will on tomorrow ask leave to introduce a bill entitled: "An Act To Amend The Members Of The House Of Assembly Retirement Allowances Act", and a notice that this House resolve itself -

SOME HON. MEMBERS:

Oh, oh.

MR. SPEAKER:

Order, please!

The hon. Minister of Finance.

DR. COLLINS:

- into a Committee of the Whole

to consider certain resolutions related to the Loan and Guarantee Act, 1957; that the House resolve itself into a Committee of the Whole to consider certain resolutions related to the Local Authority Guarantee Act, 1957; and "An Act Respecting An Increase Of Certain Pensions".

MR. SPEAKER:

Further Notices of Motion.

PRESENTING PETITIONS

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. STIRLING:

Yes, Mr. Speaker, I have a

petition on behalf of a number of people, 267 residents of Port Rexton. I beg leave to present a petition on behalf of 267 residents of Port Rexton and surrounding communities in Trinity North.

The prayer of the petition is as follows: 'We want the Government of Newfoundland and Labrador to know we are against the spruce budworm chemical spray programme.'

MR. STIRLING:

'We are very concerned about the spraying on the Bonavista Peninsula and other areas. We feel chemicals can only do our environment more harm than good. We value our birds, animals and our children. We also value our forests, but please find another way to clean them up.'

Mr. Speaker, enclosed and supporting the petition is a very sincere letter from a concerned parent who said: "Enclosed you will find a petition I have sent to Mr. Peckford from the people of Port Rexton and surrounding areas. Most families in this area supplement their food supplies with moose, rabbit, partridge, trout and berries. We feel we have a right to be concerned for the health of our children. Every-day one hears or reads of the dangers of chemicals. Please make our concerns known."

Mr. Speaker, this petition was taken from - some were taken around by hand, some of the others were put up in public places and there were some signatures of those who were under age eighteen. The person who took up the petition went out of her way to make sure that these were noted and marked in case it would have any affect on the validity of the petition.

Mr. Speaker, this is a very sincere petition taken up by people who have a genuine concern, a concern, Mr. Speaker, that has not been answered by this House of Assembly, a concern that has not been answered by the Minister of Forestry (Mr. Power). They are concerned about the effect of a chemical spray in their area. Mr. Speaker, I would hope that the minister will pay close attention, that we will see the results, that we will be assured that the monitoring processes which have been talked about are, in fact, being handled. Because, Mr. Speaker, we have noticed in the last six months what appears to be a sincere attempt by a minister to give the full information only to find, time after time, that we are not getting the full information. We are getting the



MR. STIRLING: glossed-over information as was given by the Minister of Mines and Energy (Mr. Barry), from time to time, as has been very obvious in the last three days when we had the Minister of Labour and Manpower (Mr. Dinn) who has tried to stand up here in this House of Assembly and blatantly give a distorted view of the facts.

Now, Mr. Speaker, this is the kind of problem that people throughout all of Newfoundland and Labrador are responding to in this kind of a petition. In this kind of a petition, Mr. Speaker -

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

MR. SPEAKER (Simms): A point of order, the hon. Government House Leader.

MR. MARSHALL: The hon. member, of course, is legitimately bringing in a petition but he is in the area of debate, Mr. Speaker, now. He is getting into the area of debate with respect to the application of the spruce budworm. and

MR. MARSHALL: I think, getting off into areas.

MR. SPEAKER (Simms): To the point of order, the hon. Leader of the Opposition.

MR. STIRLING: No, Mr. Speaker, I do not think there is anything to that point of order. I was talking about the petition. I would like to have your ruling.

MR. SPEAKER: With respect, I would rule there is no point of order.

The hon. the Leader of the Opposition has about a minute to conclude his remarks.

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

What I was trying to get across - and the people all over this Province who are expressing those concerns, do not understand the mind of the member for St. John's East (Mr. Marshall) who wants to interrupt on a point of order because I am trying to get across a concern that people have from all over the Province that they are not getting the full information, Mr. Speaker.

We have just seen an advertisement by the P.C. Party which is the worse distortion of the information of this House. So, Mr. Speaker, this group of people, 267 people, have great confidence in the House of Assembly and that is why they sent these petitions to both sides of the House, because nothing was done when it came to the other side. And they want us, not in a political sense but in a sense of what is the concern of the people in the area.

Mr. Speaker, I ask this

MR. STIRLING: petition be placed upon the table of the House and referred to the Department to which it relates.

MR. CARTER: Mr. Speaker.

MR. SPEAKER (Simms): To the petition?

MR. CARTER: To the petition.

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

MR. CARTER: Mr. Speaker, in commenting -

AN HON. MEMBER: (Inaudible)

MR. SPEAKER: There is only one from each side, yes.

MR. FLIGHT: The Minister of Forest Resources and Lands was going to respond. Why do you not yield?

MR. CARTER: Why certainly. Gladly.

MR. SPEAKER: The member for St. John's North (Mr. Carter) yields to the hon. the Minister of Forest Resources and Lands.

MR. POWER: I thank the member for St. John's North (Mr. Carter), Mr. Speaker.

Mr. Speaker, it is very important that in relationship to the petition received that the facts are laid before the House of Assembly. We have gone through, at least in this government's time, a very extensive process to make sure, on the one hand, that everyone in Newfoundland was aware of the forest situation; on the other hand, that they were aware of all of the facts and information that was available to us. We established a royal commission last year because we as a government simply were not sure of what the effects of a chemical spray programme over millions of acres of Newfoundland forest would be.

We established a royal commission, choosing three of the best Newfoundlanders that we could possibly find. I think it has been acknowledged on

MR. POWER: both sides of the House and in the Province, generally, that the three persons we had were as good a people as you possibly could have had on that type of a royal commission.

Those three gentlemen under the Chairmanship of Dr. Poole, went around the Province, accepted briefs in many given areas of the Province, possibly from some persons who may have had their names signed to that petition. Certainly the royal commission was accessible to them. They had the opportunity then to make their views known to the royal commission about their concerns for the spray programme. The royal commission particularly went and paid a lot of attention to what has happened in other jurisdictions where spray programmes have been carried out as it related to the type of buffer zones, the amount of chemicals per square mile, the amount of dosages on one hand, the types of planes used, the safety precautions and all the other contingencies that might come into play in any given spray programme.

I believe, Mr. Speaker, that we have in Newfoundland a contingency plan laid down that is comparable to any that has ever been used in any jurisdiction where spray programmes have taken place. We have done everything that is humanly possible, followed every direction laid down by the Newfoundland Medical Association, have gone to the Newfoundland Medical Association, which are the doctors of this Province who give medical advice about our health and well-being, and they have told us, Mr. Speaker, that the spray programme to be conducted under the guidelines that we have set down will not in any way jeopardize the health or well-being of Newfoundlanders.

Mr. Speaker, we have done this: We have gone out to many of the environmentalists

MR. POWER: groups, we have, under the Department of the Environment, laid down every environmental guideline that is possible, by either the provincial or federal agencies, to make sure the spray programme is conducted as safely and as wisely as is humanly possible.

We have even gone as far as to commit ourselves to each of the given areas where watersheds or water intakes are involved in each of the communities to guarantee to those communities that we will have a daily sampling of their water supply to make sure that there are no chemicals getting involved in the system.

Mr. Speaker, we have done all this. I

MR. POWER:

sincerely believe that both myself and the staff that we have in the Department of Forests, Resources and Lands, are the keenest environmentalists that there are in this Province, that we, in our, I suppose necessity - not necessarily a liking that we have, but in the necessity that we have - of protecting the forest resource are protecting the environment in such a way that twenty or thirty years hence we will not only have a forest industry and a forest resource but in very closeness to that, we will have a wildlife population that is there for hunting and recreation, we will have lakes and rivers and ponds that are still fairly healthy because of our very well-balanced environment. And, Mr. Speaker, we certainly, as a government, are not going to do anything in our power or our control or our authority to jeopardize either, on the one hand, the environment, and certainly the more important situation, the lives of Newfoundlanders.

Thank you, Mr. Speaker.

MR. SPEAKER (Simms):

The hon. member for Windsor-Buchans to the petition.

MR. FLIGHT:

Thank you Mr. Speaker. I want to rise for a brief moment and support the petition so ably presented by the Leader of the Opposition. Mr. Speaker, the prayer of that petition says it all. It covers all the concerns of all the people in Newfoundland re a spray programme. Now, we have a spray programme, Mr. Speaker, the people of this Province accepted a spray programme, they recognized what the budworm was doing, or the potential the budworm had to our forests, they recognized the value of the forests to the Province and people who were scared silly of a spray programme have kept quite and permitted a spray programme. And the minister indicates, Mr. Speaker, that the reason they had a royal commission was so that they could be sure of what the possible effects of a matacil spray programme

MR. FLIGHT: were. Well, I can tell the minister categorically that they were not sure before they appointed the royal commission and they are still not sure and therein lies the basis of concern. But specifically, Mr. Speaker, because the minister touched on it, this government made certain commitments in a spray programme, that the programme would be monitored, that they would recognize the fears of interest groups like people who are concerned about their watersheds. Now the minister knows, Mr. Speaker, that a group of people in Central Newfoundland, people charged with the responsibility of administering the water supply for all of the towns of Grand Falls, Windsor and Bishop Falls -

MR. SPEAKER (Simms): Order, please! I must call the hon. member to order now. I think we are dealing with the petition from the people of Port Rexton, as I understand it, and while there is a fair bit of flexibility, the hon. member should stick to the petition that is being presented as closely as he can.

MR. FLIGHT: Thank you, Mr. Speaker. In the spray programme, and this is relevant, Mr. Speaker, the only reason the people of Port Rexton did not have this petition in here six months ago or convey their feelings then, was because they had to wait to see the way this programme was going to be administered and monitored. And, Mr. Speaker, one of the things, one of the commitments made by government was that watersheds, water supplies, community water supplies would be sprayed with Bt and thereby eliminate any threat to their water supply. Now, Mr. Speaker, the fact of the matter is that the people responsible for various watersheds in this Province have learned that their water supply is going to be sprayed with matacil, with matacil, Mr. Speaker. They have requested from the Department of Forestry, Mr. Speaker, that that particular area be sprayed with Bt, they have given their concerns to the minister and requested it.

MR. FLIGHT: The minister has gone back, Mr. Speaker, and said, 'No, we are not going to change our minds, we intend to spray within a mile of your watershed with matacil. Now, the point is, Mr. Speaker, the point being covered in this petition -

MR. POWER: That is not very factual, what you are saying.

MR. FLIGHT: Mr. Speaker, the fact is now, if the minister does not want any problems with his spray programme, if the minister wants his spray programme to be accepted - it is feared anyway - but to be accepted, he is going to have to be prepared to co-operate with people who have concerns about their watersheds and what the spray programme is going to do.

And here we have a case now, Mr. Speaker, where a concerned group of people, speaking on behalf of 20,000 or 30,000 people, have asked not to have the area with a mile, a mile and a half of their watershed sprayed with matacil. And the minister -

MR. POWER: We have agreed to that.

MR. FLIGHT: The minister has not agreed to that.

MR. POWER: Yes, we have.

MR. FLIGHT: I have a copy of the minister's correspondence. The minister is going to continue to spray with matacil as indicated in the first place.



MR. FLIGHT: Mr. Speaker, if the minister -  
because this is very important -

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

MR. FLIGHT: - if the minister is prepared to  
confirm that BT will be used in the Grand Falls - Bishop's  
Falls watershed.

MR. SPEAKER: Order, please!

Again you are asking a question that  
has no relativity to the petition being presented by the  
people of Port Rexton and I suggest the hon. member now  
really is wandering. While I do allow a fair degree of  
flexibility - I think you will agree there - but I think  
that this is probably a little separate question and a  
little separate matter.

If the hon. member wishes to  
conclude, he has a minute on the petition presented by  
the hon. the Leader of the Opposition.

MR. FLIGHT: Mr. Speaker, I understand the  
sensitivity here because of the very area, I suppose,  
that we are discussing.

In supporting that petition,  
Mr. Speaker, I would say to the minister that he had better  
take heed to that petition. In that petition it is outlined  
that the people of Port Rexton are concerned about the  
total environment. And there are communities in this  
Province that are concerned about the safety of their  
water supply and they believed that their water supplies  
or areas surrounding their water supplies would be sprayed  
with BT. We have a situation where the water supply of  
20,000 or 30,000 or 40,000 people is not going to be sprayed  
with - the area that is going to be sprayed around that  
water supply is not going to be sprayed with BT, it is going

MR. FLIGHT: to be sprayed with matacil.  
They have requested BT, you know, and, Mr. Speaker,  
unless the minister is prepared to accept criticism and  
have his programme brought into question and get the kind  
of public -

MR. SPEAKER (Simms): Order, please!

MR. FLIGHT: - upheaval that he got the last  
time, I think that he should pay attention to the various  
committees that are coming to him now with their concerns  
about the spray programme.

Thank you, Mr. Speaker.

MR. SPEAKER: Any further petitions?

ORDERS OF THE DAY

Motion, the hon. the Minister of  
Justice to introduce a bill, "An Act To Amend The Judicature  
Act," carried. (Bill No. 75).

On motion, Bill No. 75 read a first  
time, ordered read a second time on tomorrow.

MR. MARSHALL: Order 15, Bill No. 31.

Motion, second reading of a bill,  
"An Act To Establish The Newfoundland And Labrador Youth  
Advisory Council," (Bill No. 31).

MR. SPEAKER: I believe, on the last day, debate  
was adjourned by the hon. the member for Carbonear  
(Mr. Moores) who has about eighteen minutes remaining.  
I believe that is accurate.

The hon. member can carry on and  
I will show him - he does not have to use it all, it is  
up to him. But that is how much he has left.

MR. MOORES: I just thought, Mr. Speaker, it  
was about five or six.

MR. MOORES: Anyway, Mr. Speaker, the last day that I was referring to the bill, Bill No. 31, I was about to say that I agreed with my colleague from Grand Bank (Mr. Thoms) that there is every reason for us as members of the Opposition and young people generally in Newfoundland, to be somewhat wary of the idea of allowing three so-called persons over twenty-one years of age to be appointed to make up the total of twelve members of the Youth Advisory Council. And if I recall, Mr. Speaker, my colleague from Grand Bank rightfully was saying that properly chosen, the three senior members of the Youth Advisory Council could very well manipulate on a partisan and a biased basis, the nine junior members of the Advisory Council so that we could very well end up with a politically stacked Advisory Council that will

MR. R. MOORES: be nothing more than a mouth-piece for the Tory Party in this Province. Now naturally, Mr. Speaker, as all positive-minded individuals we hope that this does not occur. We hope that the Youth Advisory Council, in fact, becomes what it intends in this piece of legislation, a group of young people established in this Province to promote the young people's views on what legislation and government policy should be in this Province.

But to reiterate what I said, Mr. Speaker, last week, I have no reluctance at all, no qualm at all in saying that the government of this Province does not intend for this legislation to do anything positive except to be nothing more than a public relations job. In saying to the young people of this Province, 'Through this legislation we are going to appear to be giving you a voice, a vehicle by which you can express your concern to government', only to find in the actual operation, the actual mechanics of the legislation there will be nothing done and nothing undertaken to positively, affirmatively affect government policy or programmes.

And we have seen this over the years, Mr. Speaker, on many occasions. This is no surprise to me, personally, no surprise at all, that this Premier, the present Premier of this Province would try under this guise, as he has with so many other major issues in this Province, to mislead - to 'deceive' is a better word - to deceive the public of this Province into believing something that really is not true. We have seen it on major issues like the Lower Churchill, offshore oil, constitution, new flags,

MR. R. MOORES: on and on. On every major issue that has confronted this Province, the Premier and his administration has done nothing but misdirect, nothing but deceive the people of this Province into believing something which, in fact, is not so.

We do not, I do not - I would prefer that this legislation not incorporate the three appointees on the Youth Advisory Council. There is no need of it, no need at all! My experience with young people has indicated to me that in matters of most concern to them they are more than capable of handling themselves, more than capable of conveying, of projecting, of imparting their views and their concerns to adults. The problem is the other half of the coin. The adults have a serious difficulty in understanding what the young people are trying to say, a very great difficulty in understanding how to react to what young people try to say to them. And unless we confront that problem - which this legislation, by the way, theoretically or realistically will not do it, will not confront the problem of the generation gap, nor, I suspect, is it intended to, as I just pointed out. We just heard the day before yesterday, for instance, - or two or three days ago, the

MR. MOORES:

government, the Minister of Education (Ms. Verge), if I recall, or one of the officials in her department, say that they and this government are not prepared to offset the loss to the students in tuition fees for the September semester. They do not want anything to do with it. They want Memorial University, the administration of Memorial, to whack it to the students again, lift the tuition fees. And if anyone does not realize, tuition fees means take the cash from the student. And in order for the student to get cash, that student must work, and this government is on record as saying that over and above the normal number of jobs available to young people, they are going to do nothing this year, any more than they have done for the last eight years, to create new jobs and new possibilities in the employment market for students.

Thousands of them just a week or so ago came out of Memorial University, and so that there will be no misunderstanding, Memorial University is, in fact, only a small portion of the young people who will enter the employment market, the labour market this Summer. In a few weeks you will have thousands more out of the vocational schools, and the Trades and Technical College and the Fisheries College. then the biggest number that the labour market has to contend with are the thousands that will come out of Grade XI classes and Grade X classes in our high school system, who are about to enter into post-secondary educational opportunities such as Memorial or the Trades and Tech or Fisheries College and so on.

And when you have all these people competing for seasonal opportunity. for a means by which they can further their education by finding a job and getting money, and you have a government which has not done anything, which is not doing anything and, I predict, will not do anything to provide

MR. MOORES: employment opportunities for students so that they can get the wherewithal to further their education, then what good is this bill? What good is the Youth Advisory Council, for instance, if it meets next week or next year in April or May in Corner Brook or Gander somewhere and it passes a resolution and it says, 'We urge the government of this Province to create more seasonal employment opportunities for students?' What good is it to urge the government, what good is it for the Youth Advisory Council to recommend to government that government policies be designed to provide employment opportunities when this government has no intention of doing that?

I express my very great concern, Mr. Speaker, that this is an exercise in futility, window dressing, no substance there, nothing that any reasonable, sensible-minded student or young person in this Province could sit down and say, 'Well, look, you know, this government is making an effort'. Because the fact of the matter is, since 1972 we have had the Department of Recreation and Youth in six different portfolios, six different portfolios with as many ministers. There has never been a permanent

MR. MOORES: has never been a permanent Department of Youth, a permanent division that acquaints itself and responds to youth and youth activities and organizations in this Province. I recall one two-year period, from 1976 until 1978, when there was no full-time Minister of Youth. If I recall it was the former Government House Leader, Mr. Wells, the then member for Kilbride, who was Acting Minister of Youth and Recreation and some other division whilst, at the same time, he was Government House Leader and, I believe, the Minister of Health. And that, in itself, points out to me that there is really nothing affirmative, nothing positive about this legislation, except what I said it was last week and that is nothing more than a sham, a sham perpetrated by this government to make it appear like something that it is not. And I say now, Mr. Speaker, that that in itself is the tragedy. It is not a tragedy that the government's intent is to bring in a piece of legislation whereby it provides a vehicle to young people to express an opinion, that is not the tragedy, the tragedy is that this government intends young people to see it as something positive when the government itself sees it only as window dressing, only as something with nothing positive attached to it. That is the tragedy, Mr. Speaker, and unfortunately my talking about it in this House is not going to do anything about it either.

MR. MARSHALL: (Inaudible).

MR. MOORES: I might as well talk about it until next June and it still would have no more effect than if I had not spoken at all.

Who is next to speak on this side?

MR. STIRLING: Somebody.

MR. MOORES: Well, I have to keep going until -

SOME HON. MEMBERS: No, no.

AN HON. MEMBER: Wasting the time of the House.



MR. SPEAKER (Butt): The hon. member has about two minutes.

MR. MOORES: About two minutes, Mr. Speaker. What can I say in two minutes any more positive, what can I say in two minutes, Mr. Speaker, that can be any more contributive -

MR. STIRLING: Ask them if they will now tell us whether they have already got that council elected and who the three people are?

MR. MOORES: Right, yes, true, that is a reiteration. If I recall that question was passed on to the Acting Premier, the President of the Council, Government House Leader (Mr. Marshall), last week by the member for LaPoile (Mr. Neary) I think, Grand Bank (Mr. Thoms) or LaPoile.

In any event, Mr. Speaker, I am certainly pleased to have had the opportunity to place my reservations about this legislation and my recommendations and advice on public record so that a few years from now, please God, I will be able to stand up in this House and say, 'Well, look, you know, I told you so'. When this Youth Advisory Committee is detected by the youth of this Province to be what it is and then they throw it out or it collapses, as the Youth Advisory Commission did just a few years ago, then I can stand up, Mr. Speaker, in this House and say, 'Well, boys, you know, I told you so, it was no surprise to me'

MR. MOORES: and, Mr. Speaker, on that negative note, unfortunately that negative note, I thank you very much.

MR. SPEAKER (Butt): If the hon. the President of the Council speaks now he closes debate on the bill.

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER: The hon. the President of the Council.

MR. MARSHALL: In relation to this bill, I shall now address myself to the questions that were raised in comments from the Opposition.

MR. SPEAKER: Order, please!

Before the hon. the minister proceeds with his remarks, pursuant to Standing Order No. 31(h), I will announce the Late Show.

I can inform the House that I have received notice of two motions for debate at 5:30 P.M., when a motion to adjourn will be deemed to be before the House.

The first matter, notice is given by the hon. the member for LaPoile (Mr. Neary) arising out of questions asked the hon. the Minister of Labour and Manpower (Mr. Dinn). The subject matter is the Labour Relations Board.

The second matter, notice is given by the hon. the member for Grand Bank (Mr. Thoms) arising out of questions asked the hon. the Minister of Labour. The subject matter is the Labour Relations Board.

The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, as I was saying, I will address myself now to matters that were brought up in the debate when it was adjourned from last Friday and today.

MR. NEARY: Are you closing the debate?

MR. MARSHALL: Yes, I am closing the debate.

MR. MARSHALL: Mr. Speaker, the main thrust and the main criticism of this bill centers around the composition of the Advisory Board and specifically, the provision in Clause 51 (b) to the effect that three of the members should be appointed by the Lieutenant-Governor in Council. And these three would be people who are older than twenty-one years. Now, Mr. Speaker, the member for Grand Bank (Mr. Thoms) and the member for Carbonear (Mr. Moores) and, I think, others - the member for St. Mary's - The Capes (Mr. Hancock) took umbrage with this and did not think it was a good idea. Such observations were made as it means that you do not trust them. They should not have adults on the Board, that the younger people could do it themselves. The member for St. Mary's - The Capes made reference to the fact that it would just be the Executive Council who would be appointing them and that this left itself open for political appointments.

Now, Mr. Speaker, the first thing I would draw to your attention is that in that particular section, it says that they would be appointed by the Lieutenant-Governor in Council on the recommendation of the nine members, that is, the nine youth. And that, in effect, is the way in which it is done, Mr. Speaker. The nine youth who comprise the Council make a recommendation to Cabinet and Cabinet does and has accepted their recommendation.

Present members, Mr. Speaker, the present adult advisers, as we know from last week are, and I will refer

MR. MARSHALL:

to that in a few moments, Dr. Douglas Eaton, Ms. E. Beck, and Mr. Robert A Fowler, he is a provincial judge on the West Coast of this Province. Now, I am advised and informed, Mr. Speaker, that these three people are people who were appointed upon the recommendation of the nine youth members and they were appointed on that basis and they will continue to be appointed on that basis. And I do not see anything wrong with that particular provision. It has been welcomed by the youth, the people on the Youth Council. The bill was put together after consultation with them, full consultation with them and after, as I referred to in introducing this bill, after recommendations that came from a convention of youth in this Province. So, the point of the matter is, Mr. Speaker, as far as the youth are concerned they are citizens of this Province, they do not want to consider themselves to be in a vacuum. They form the majority, by far the majority on the committee, and the other members on the committee are appointed by the Lieutenant-Governor in Council on their recommendation. This is the situation and we really feel there is nothing wrong with it. As for political appointments I want to tell the House that as far as the members all serve without remuneration, they do not receive any pay, they do receive whatever travelling expenses that may be involved, which is normal, so, therefore, it is a gratuitous board and it is a board of, as far as the adults are concerned, public spirited citizens. The three adults who are compatible with youth, have been selected by youth and serve as a matter of public service. And that brings me to the matter that was brought up last Friday by the member from Carbonear (Mr. Moores) in this House in the debate which I regard to be, Mr. Speaker, quite frankly, his attack on Dr. Eaton, unwarranted, reprehensible and certainly regrettable. It is certainly not characteristic of the hon. member, because he does not usually enter into that kind of

MR. W. MARSHALL:       condemnation. He said, Mr. Speaker, and I want to quote from Hansard on May 22nd because I think it is worthwhile to quote from this just to show you what occurs in this House.

AN HON. MEMBER:       What a cur he says.

MR. MARSHALL:       He said ' I point out to you the appointment of Doug Eaton on this Youth Advisory Board Council. You know the strength of a man only when you oppose him. You get to know the real man only when you oppose him and for five years, while I was a student out there, we had a continuous struggle with Doug Eaton, manipulating the CSU, manipulating student programmes, student grants, student scholarships and student awards'. Now, Mr. Speaker, they are very strong statements in themselves and I would suggest that they are an indication that the hon. member, because of some - for I do not know

MR. MARSHALL: what reason or what occurred for some time before, I think it was about ten years ago he was at Memorial - I stand to be corrected there - but he has been an elected member of this House for some period of time, so it has been approximately at least ten years since he has been at Memorial. And as a result of his association with Dr. Eaton, obviously some personal confrontation with him at the time, he chose to bring this out in the House of Assembly. That was bad enough. But then he goes on even further, Mr. Speaker, and he says, 'He was given a flunky job as Vice-President of Student Affairs'. He goes on to say, 'I can tell you there are scholarships in this Province that have been awarded on his word only. And who do you think they were awarded to? To none other than his daughter-in-law.' Now, Mr. Speaker, I think by any measure, that on reflection, surely, the hon. member - that that is completely and absolutely unwarranted. Mr. Speaker, Dr. Eaton, whether the hon. member likes him or not - I am sure there are many people around who are serving on boards and serving in public matters that we may not like for one reason or another. But that does not give us license, Mr. Speaker, to act in that particular manner. As it so happens Dr. Eaton is a public spirited citizen who is serving voluntarily on a board, Mr. Speaker, without remuneration because he has been asked and nominated by the youth of this Province. And this particular type of attack on an individual who is not in this House, Mr. Speaker, is certainly, in my mind, an abject abuse of the parliamentary immunity in the House.

You are not, Mr. Speaker, going to get anybody in this Province to serve on public committees if they are going to be -

MR. NEARY: The same tired old argument.  
The same old argument.

MR. MARSHALL: Yes, there goes the hon.  
member.

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

MR. STIRLING: Give us the three names  
now.

MR. MARSHALL: I gave the hon. member  
the three names, Dr. Eaton, Ms. Beck -

MR. MOORES: I thought they were (inaudible) who are they?

MR. SPEAKER: Order, please!

MR. MARSHALL: Now, I kept quiet while  
the hon. members were speaking and I have my rights, Mr.  
Speaker, to speak and I am going to speak about it. The  
hon. member, you know, chose to attack Dr. Eaton. And  
I just point out that if this particular type of attack  
is allowed to permeate this House and people are allowed  
to use their immunity, Mr. Speaker, you are not going at  
any time to get citizens of this Province to serve on boards  
let alone run in politics. Run in politics is something else  
Mr. Speaker.

MR. NEARY: What about Mr. Smallwood  
and Mr. Rompkey?

MR. MARSHALL: That is fine, but when you get -

MR. NEARY: Oh, that is fine.

MR. SPEAKER: Order, please!

MR. MARSHALL: Mr. Speaker, I have a  
right to speak. The hon. member for LaPoile is choosing  
to interrupt me. Now, I ask for the protection of the Chair  
to continue my -

MR. SPEAKER: Order, please!

The hon. member wishes to  
be heard in silence. I would ask hon. members to respect  
his right and ask the hon. member for LaPoile to restrain himself.

May 28, 1981

Tape No. 1928

IB-3

MR. SPEAKER (BUTT):

the Council.

The hon. President of

MR. MARSHALL:

Anyway, Mr. Speaker, that is it. Now the fact of the matter is, just to show you how outrageous this is, I understand that Dr. Eaton has a daughter-in-law who was awarded a medal while at Memorial, not a scholarship but a medal, a medal for excellence in extracurricular activity called the Birk medal.



MR. MARSHALL: This particular medal when it was awarded to the person in question, she was not the daughter-in-law of Dr. Eaton and I have no knowledge whether Dr. Eaton had the foresight to know whether she would be or not. But in any event, this lady who was given this award, Mr. Speaker, was given the award - certainly, Dr. Eaton is involved in student affairs, but it was after an assessment, as these things usually are, by a committee of the university calling student leaders and getting their opinion.

So that, Mr. Speaker, shows the enormity, really, of the type of accusation that was made. Now, it was reported in the paper and I think it is rather unfortunate that the paper did not choose to report the next words that were uttered. The hon. the member for St. John's North (Mr. Carter) said to him, "Do you dare to say that outside the House?" And the member for Carbonear (Mr. Moores) said, "Probably not because of how this stupid system works that we live in. Does that answer your question?" Now, that is his interpretation of society, and that is fine. But the fact of the matter is, he did indicate that he made these statements in the House that he would not make outside and the paper reports them, the press reports them without reporting this added thing which would have given it a different connotation, Mr. Speaker, than was allowed to go out in the press.

Now, the fact of the matter is, Mr. Speaker, we enjoy parliamentary immunity in this House, but it requires a certain amount of responsibility before we exercise it, and that is the basis. He goes on to say - and I agree with him - that there should be parliamentary immunity in this House. But, Mr. Speaker, rights also connote responsibilities. And, Mr. Speaker,

MR. MARSHALL: that responsibility is surely infringed completely, it is ignored completely, when innocent people outside of this House, participating voluntarily in public service, get attacked in this particular nature. As a matter of fact, Mr. Speaker, the only protection we really have in this House with respect to the - or the public has and we have in this House - with respect to the abuse of parliamentary immunity, in this case, is through the press itself. And it is rather regrettable, as I say, that the press allowed itself to be used as an organ for lambasting Dr. Eaton without reporting the rest of the thing.

I do hope that the press will take notice of this and will write appropriate editorials, and the Open Lines will give appropriate opinions, Mr. Speaker, of this type of attack on an individual, in this House, which is surely not acceptable -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Butt): Order, please!

MR. MARSHALL: - not acceptable, Mr. Speaker. This is not acceptable, Mr. Speaker, by any judgement whatsoever. It is regrettable that it occurred. The press allows these things to go on and reports them as if they are facts. Dr. Eaton, as I say, was and is rendering a public service. The hon. gentleman may not like him - that is his prerogative - but I do not think this House should be used to unjustly and unwarrantedly malign him, and this is what the hon. gentleman has done. I think it rather unfortunate that he has seen fit

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MR. MARSHALL: to do it. The same thing, Mr. Speaker,  
applied -

MR. NEARY: (Inaudible).

MR. MARSHALL: - the hon. gentleman there opposite -  
the same thing -

MR. NEARY: (Inaudible).

MR. SPEAKER (Butt): Order, please!

MR. MARSHALL: - the same thing applies, Mr. Speaker,  
the same thing applies, Mr. Speaker, with the hon. member for  
LaPoile (Mr. Neary) -

MR. NEARY: There is the smear.

MR. MARSHALL: - yes - the same thing applies.

We brought before this House-and the statement was made when  
the Mahoney Report was put in as to what the judge said in  
relation to evidence of a Mr. Andrew Davidson which was deemed  
to be - was not accepted because it was not believable.

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

MR. SPEAKER: A point of order, the hon. member  
for LaPoile.

MR. NEARY: Mr. Speaker, the hon. gentleman  
is quoting from the Mahoney Royal Commission Report and if  
he is going to quote from it he has to quote correctly.  
That is not what Mr. Mahoney said at all. Mr. Mahoney said  
the matters were not within his terms of reference and the  
government saw to it that they were not put in his terms of  
reference, otherwise half the crowd on that side of the House,  
Mr. Speaker, at this particular moment would be the subject  
of a commission of inquiry, if Judge Mahoney had been allowed  
to pursue that matter that the hon. gentleman referred to.

MR. MARSHALL: That is not a point of order.

MR. SPEAKER: Order, please! That is not a  
point of order. The hon. the President of the Council.

MR. MARSHALL: It is not a point of order,  
Mr. Speaker. It was in -

MR. NEARY: (Inaudible) straight then.

MR. MARSHALL: - the Mahoney Report and it is a  
fact that still has not been reported in the press of this  
Province that the hon. member for LaPoile (Mr. Neary) - that  
did not daunt him, Mr. Speaker, he used this House for the  
purpose of putting this affidavit before, hurting, also,  
innocent people.

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

MR. SPEAKER (Butt): A point of order, the hon. member  
for LaPoile.

MR. NEARY: You cannot attribute motives to  
members of this House and the hon. gentleman just - Mr. Speaker,  
the hon. gentleman is at his smear tactics again, innuendoes,  
insinuations, smear tactics. It is the hon. gentleman who  
lowers the decorum of this House. It is the hon. gentleman  
who is responsible -

AN HON. MEMBER: Hear, hear!

MR. NEARY: - who is responsible for the  
low-class, low-level, low-class debate in this House, and  
he just used -

MR. MARSHALL: (Inaudible).

MR. NEARY: - he just used an unparliamentary -

MR. MARSHALL: Do you want to (inaudible) them  
all by names?

MR. NEARY: - remark, Mr. Speaker, and he  
should be ordered to withdraw it or Your Honour should name  
him.

MR. SPEAKER: To the point of order, the hon.  
the President of the Council?

MR. MARSHALL: I was not imputing motives,  
I was just saying -

MR. NEARY:

Right.

MR. MARSHALL:

- what the effect was, Mr. Speaker,  
and I am allowed -

MR. NEARY:

No, you did not say what the effect  
was, that is not -

MR. MARSHALL:

- and I am quite capable,  
Mr. Speaker. The day that I am not allowed in this House  
to get up and say the effect of an action of an individual  
is a very curious ruling indeed.

AN HON. MEMBER:

Hear, hear!

MR. MARSHALL:

I am saying -

MR. NEARY:

No, Mr. Speaker (inaudible).

MR. MARSHALL:

- I am saying that Mr. Justice  
Mahoney would not allow this evidence into his Commission  
because the effect would have been the damaging of reputations  
of innocent individuals by statements and testimony which he  
deemed to be unbelievable and not worthy to give it credit.  
I am also saying that this same information

MR. MARSHALL: was tabled in the House under an affidavit given by Mr. Andrew Davidson, that same person, by the hon. member for LaPoile (Mr. Neary), and I am saying the effect is exactly the same and that this House should look at itself as to what it is doing to innocent people who are affected by this kind of slander. That is what I am saying.

MR. SPEAKER (BUTT): Well, to the point of order that was raised by the hon. member for LaPoile. I have heard a submission from the hon. member, one from the President of the Council. I can make a ruling on the submissions that were put forward. But first of all let me say that during second reading there is a fairly broad-ranging debate on the bill before the floor. However, I was about to bring the President of the Council to order in that he was straying somewhat from the bill itself. And even though it is quite correct to refer to comments made by other members in debate, I do believe that the hon. President of the Council was straying somewhat from that. I would ask him now to confine his remarks to the bill itself.

The hon. President of  
the Council.

MR. MARSHALL: Thank you, Mr. Speaker.

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

MR. SPEAKER: A point of order raised  
by the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, the President of the Council a few moments ago made a statement that, in my opinion, violates the rules of this House inasmuch as he stated that a member of this side of the House had used the press to get out this information. Now, that is attributing motives as Your Honour knows. And Your Honour

MR. NEARY: can refer to Hansard to check to see if I am accurate in what I am saying. And Mr. Speaker, when the hon. gentleman then responded a few moments ago to the original point of order I made, he had a few more little innuendos and a few more little cracks. Well, I want to ask the hon. gentleman, what about Mr. Rompkey and what about Mr. Smallwood?

MR. SPEAKER (BUTT): Order, please!

MR. NEARY: And what about all the other people? What about Mrs. Smallwood who was smeared by the hon. gentleman -

MR. SPEAKER: Order, please!

MR. NEARY: - and got a punch in the gob for it?

SOME HON. MEMBERS: Name him. Name him.

MR. SPEAKER: Order, please!

MR. NEARY: Got a punch in the mouth in this House for it..

MR. SPEAKER: Order, please! Order, please! The hon. member is not allowed - the hon. member is a veteran of this House and he knows he is not allowed to stand on a point of order and ask questions. There is no point of order. The hon. President of the Council has about -

MR. NEARY: What about using the press, Mr. Speaker?

MR. SPEAKER: Order, please!

The hon. President of the Council has about fourteen minutes to conclude his remarks on the bill.

MR. NEARY: He got a punch in the mouth for smearing a woman.

MR. SPEAKER: Order, please!

MR. MARSHALL: Thank you, Mr. Speaker.

MR. MARSHALL: I shall continue and, Mr. Speaker, as always, have respect for Your Honour's ruling.

Now, Mr. Speaker, the hon. Leader of the Opposition (Mr. Stirling) has asked a question as to the composition. I have already given him the adult members and I think what he is referring to is the -

MR. STIRLING: Would you mind giving me the adults.

MR. MARSHALL: Yes, the adults are: Dr Douglas Eaton, Ms . Eve Beck, and Robert A. Fowler is listed as Magistrate but that is now Provincial Court Judge. And the termination dates of their employment are - their appointment, because it is not employment, they are not paid anything, as I indicated - is July 31, 1982, in relation to all of the adult advisors.



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Tape No. 1932

RA - 1

MR. MARSHALL: I have the youth appointments as well. I have a list here that I will give to the hon. member, I have them for 1979, 1980 and 1981. The 1981 has five youth appointments so I cannot say whether the whole nine complement has been appointed. But there were nine, Mr. Speaker, in 1979, appointed under the Youth Commission Act of 1975-76, But the present ones who are there now, their tenure is there until - the new members come into effect after this act and they are Jim Hornell, youth representative for the Central region, Derek Simmons for the Western region, Heather Verge for the Northern region, Stephen Henley for St. John's and Cathy Barker of Bonavista-Trinity region. Those are the names which I have. So that is the crux of the matter -

AN HON. MEMBER: (Inaudible)

MR. W. MARSHALL: Pardon.

AN HON. MEMBER: (Inaudible)

MR. W. MARSHALL: Cathy Barker, Openhall, Bonavista Bay.

MR. NEARY: Whose team was she on?

MR. W. MARSHALL: Well, these are - well, I do not even answer -

AN HON. MEMBER: She did not work on my team.

MR. MARSHALL: - Mr. Speaker, I will answer the Leader of the Opposition on that but there are limits I have for myself as to certain things.

MR. S. NEARY: (Inaudible) Mr. Smallwood  
(inaudible)

MR. SPEAKER (Simms): Order, please!

MR. MARSHALL: Now, Mr. Speaker, there are a couple of other items that I want to mention too. The member for St. Mary's - The Capes (Mr. Hancock), when he was speaking, talked about the RCMP and the Constabulary doing very little and, you know, it is very easy to make these statements, Mr. Speaker, and these accusations, but the fact of the

MR. MARSHALL: matter is, Mr. Speaker, that the Newfoundland Constabulary, particularly, under the encouragement of this government to reframe the Constabulary, to nourish it and to bring it to the level of the force which we believe it can be, that has been in the past and which it is now, has conducted a very effective youth programme with the youth of this city. There are two members on it now and it is the Crime Prevention Group and it is concerned with crime prevention and they spend a tremendous amount of time with the youth of this city and I think that is very commendable. Some people have talked about a separate department, that there needs to be a separate Department of Youth, Mr. Speaker. That is a question, from time to time, that comes up. You cannot have departments for every function that is carried on by government and I think that sometimes people get the idea that if there is a department, there is going to be more attention paid to that activity. Sometimes that is true but not in all cases. But certainly, as far as this government is concerned, this particular bill and this particular piece of legislation is not meant to be just lip-service and an empty frame of legislation, but what we are doing, we are establishing

MR. MARSHALL:

a Youth Council, as we have established many other committees in the past, for the purpose of advising government and assisting government in the formulation of policies pertaining to their own particular interest, and certainly that is what we intend to have here.

So generally speaking, Mr. Speaker, I think I have answered all of the questions. This is a very progressive piece of legislation as far as we are concerned. The observations made—the major observation, as I say, was that there were nine youth and three adult, and whether or not the three adults should be on the committee or whether they should be all youth. It is our opinion, Mr. Speaker, that this is a good balance, of three adults and nine youth. It is a fact that the Youth Convention a few years ago that met, you know, concurred with this. It is acceptable to the youth. As far as we are concerned, we will always listen to the youth, Mr. Speaker, in connection with it, and, indeed, the members who are on the committee, the adult members, constitute recommendations from the youth complement on the committee and will continue in the future.

So I recommend second reading.

On motion, a bill, "An Act To Establish The Newfoundland And Labrador Youth Advisory Council", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 31).

Motion, second reading of a bill, "An Act To Amend The Public Libraries Act, 1975". (Bill No.35).

MR. NEARY: Mr. Speaker, -

MR. SPEAKER (Butt): The minister introducing the bill would ordinarily be recognized first.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I would like to say we move that this bill be approved immediately, without debate.

On motion, a bill, "An Act To Amend The Public Libraries Act, 1975", read a second time, ordered Bill No. 35 referred to a Committee of the Whole House on tomorrow.

Motion, second reading, of a bill, "An Act To Amend The Mining And Mineral Rights Tax Act, 1975". (Bill No. 10).

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

DR. COLLINS: Mr. Speaker, just a brief word of explanation here. This is an amendment to the act which was brought in for the purpose of clarification. The act, which was passed in 1975, in one of its sections permitted certain expenditures to be deducted from total revenues in determining tax liable under this act. Now, some mining companies expressed some doubt from the wording of the act whether those expenditures that could be deducted from revenues were expenditures over a number of years. The intent in the act was that that would not be so, that only expenditures in the year under consideration for taxation should be deductible. So that is what this amendment does. And it really inserts the following words. Perhaps I could read out where the insertion comes: It says, 'such amount as the Lieutenant-Governor in Council may allow for any cost and outlays incurred by the taxpayer' and then it is inserted there, 'during the fiscal year within an area of land, and so on and so forth. And that is the purpose of that, it is to clarify that the exemptions against revenue are only in that year, not from prior years.

MR. STIRLING: What is going to be the effect?

DR. COLLINS: Well, the effect will just be - if this was not in there, in some instances one could not collect any tax because expenditures for many years back could be - this act came into force in 1975; expenditures going back many years could be applied against revenues after 1975 and you would never be able to collect any tax.

MR. NEARY: Mr. Speaker.

MR. SPEAKER (Butt): The hon. the member for LaPoile.

MR. NEARY: The hon. gentleman gets up and introduces this bill, Mr. Speaker, as if it were a very trivial matter, but in actual fact, it is a very serious matter. This sort of thing that we are seeing demonstrated in this bill could only happen under Idi Amin, Mr. Speaker,

MR. NEARY: or Nazi Germany or in Soviet Russia. What they are doing here, Mr. Speaker - the hon. gentleman says, 'Oh, some mining companies interpreted the bill this way.' Well, was it interpreted because of poor drafting? Was it misinterpreted by the mining companies the hon. gentleman is referring to because the government did not know what they were doing? Mr. Speaker, the significant part of this bill is Clause 2. Nobody has any objection to the government trying to clarify a mistake that it made,

MR. NEARY: but in order to rectify their own mistake just listen to what they are doing here: 'This clause would provide that the amendment would come into force on January 1, 1975.' They are making it retroactive for six years. It is most unusual, it is unheard of in any piece of legislation that I have ever seen. If they were going to amend the act, to make it effective from this day on, Mr. Speaker, you would understand it. But hon. members must realize that mining companies who have been carrying out exploration in this Province for the last six or seven years, who feel that they could have made certain deductions under this act, are now being penalized by the introduction of this bill. They probably did their exploration, carried out their mineral exploration in Newfoundland under the assumption that they could make certain deductions from the money they expended.

Mr. Speaker, this is almost too ridiculous to talk about. It is absolutely absurd. I can hardly believe it. As I say, it could only happen in Nazi Germany, Soviet Russia or under Idi Amin. In other words - you know, Mr. Speaker, if this is allowed, if this bill is allowed to stand what could happen is this, that the government could very easily say five years from now, 'We did not like the income tax that the hon. Leader of the Opposition was paying, so we will bring in a bill in the House to clarify the situation, to try to straighten it out and we will make it retroactive for five years.' They could do it, Mr. Speaker.

MR. CARTER: Do not be so foolish.

MR. NEARY: It is not being foolish and the hon. gentleman should pay attention to the legislation that is going through this House and he would see how foolish it is. They could tackle the hon. gentleman the same way on his savoury patch if they wanted to. They could say, 'Well, look, we are going to tax the hon. gentleman's





MR. FLIGHT: Like Crosbie did with Gabon. He insulted all the people in Gabon.

MR. NEARY: Yes. Crosbie insulted all of the people in Gabon. If you were in Gabon it might happen, or if you were under the Iron Curtain, the Iron Heel it might happen. But who would ever think it would happen in Newfoundland?

MR. CARTER: Look at Bill 27, 1979.

MR. NEARY: I beg your pardon?

MR. FLIGHT: Okay, you got the clock, keep going.

MR. CARTER: Look at Bill 27, 1979.

MR. NEARY: Mr. Speaker.

MR. SPEAKER (Butt): Order, please! I regret having to interrupt the hon. member.

MR. NEARY: I move the adjournment of the debate, Mr. Speaker.

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

The first matter for debate, raised by the hon. member for LaPoile, is interference in the operation of the Labour Relations Board.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, earlier this afternoon we heard a lecture from the President of the Council (Mr. Marshall) on vicious attacks on people outside of this House. I dared the hon. gentleman to tell us about his attack on Mrs. Smallwood and he would not take me up on my challenge. But in this controversy now that we are involved in, I thought that the hon. gentleman, witch-hunt Willie, made the most

MR. NEARY:                   ` priceless statement of all, made a gem of a statement when he said, "This is an issue" - just listen to this, Mr. Speaker, talking about the Minister of Labour's (Mr. Dinn), interference with the judicial process in this Province, here is what the President of the Council (Mr. Marshall) said, he said, "This is only an issue to some people with a small mind who want to make it an issue." Now, can the hon. gentleman deny that he said that? No he cannot.

Well, Mr. Speaker, I now ask the hon. gentleman if the membership, several hundred members of the International Brotherhood of Electrical Workers in this Province, if they are all small-minded, they are the ones who want to make it an issue? And I ask the hon. gentleman if 20,000 fishermen in this Province, and fish plant workers who are members of the Newfoundland Fish, Food, And Allied Workers Union are the ones who have the small minds? Are they the ones the hon. gentleman was referring to?

Mr. Speaker, I am amazed that this government would defend such a drastic measure by the Minister of Manpower. In every other jurisdiction, in every other part of the free world where somebody interferes with the judicial process, the minister has no choice but to resign. But no not here. The minister here does not have the courage for that, he does not have the intestinal fortitude, he is too cowardly for that, he decides to brazen it out and the government decide they are going to prop him up.

Well, Mr. Speaker, they may prop him up. In the short haul they may be able to prop him up, but in the long haul, Mr. Speaker, they are going to have a

MR. NEARY:

Minister of Labour in this Province who will be useless, who will not be able to do his job. He will not be able to function because he is anti-labour, proved by the statements made in the letter that he wrote the Labour Relations Board.

Since Confederation we have had some outstanding Ministers of Labour in this Province. We have had the hon. Charles Ballam, we had Mr. Maynard, who was a pretty good Minister of Labour - not a pretty good President of Treasury Board, but not a bad Minister of Labour. We have had some outstanding Ministers of Labour in Newfoundland since Confederation - the late hon. William Keough - but this is the first time that we have had a Minister of Labour who is anti-labour. It is the first time in our history that we have had a Minister of Labour who has been denounced by the management and labour representatives on the Labour Relations Board.

Now, Mr. Speaker, to get back to what the hon. the President of the Council (Mr. Marshall) said. This is more than just a political issue. This is not a dispute between the Tories and the Liberals; this is not a dispute between that side of the House and this side of the House, this now, has developed into a dispute between the government and the whole trade union movement in this Province and the people of this Province. And the government who said only the other day when they brought in their code of ethics that they were not going to put up with this, or tolerate this kind of nonsense from their ministers, are now propping up another minister the same as they did with the Minister of Fisheries (Mr. Morgan) when he got himself in hot water with the Public Accounts Committee.

MR. NEARY: Mr. Speaker, I would submit, I could almost predict now what is going to happen. The government will try to defend the minister and they know they are wrong. They know they cannot compound the lie. They know they are wrong in defending the minister, but, Mr. Speaker, they will try to defend him.

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

MR. SPEAKER (Simms): On a point of order, the hon. the President of the Council.

MR. MARSHALL: Am I correct (inaudible)? I thought it was the Minister of Labour (inaudible) the reason the member for LaPoile (Mr. Neary) got off on a string of paranoia against me again?

MR. SPEAKER: Arising out of a question asked the hon. the Minister of Labour and Manpower (Mr. Dinn).

The hon. the member for LaPoile.

MR. NEARY: Mr. Speaker, they will attempt to defend the Minister of Labour and Manpower although they know that his situation is indefensible. They will try it, and in the short haul they may be able to defend him. But over the long haul it is going to cost the administration. In the long haul, Mr. Speaker, they will pay the price for tolerating and supporting a minister who would interfere with the judicial system in the Province.

MR. NEARY:

Well, I would submit to any member of this House -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (SIMMS):

Order, please!

MR. NEARY:

- that they take Mr.

Cashin's statement that he made today and read it. And if they do not have a copy I will Xerox it and circulate copies to the members of the House. It is the finest statement I have ever seen made, Mr. Speaker. Mr. Cashin took the high ground, denounced the minister, demanded his resignation and the hon. gentleman has not got the courage, the intestinal fortitude to do the honourable thing.

MR. SPEAKER:

Order, please!

The hon. member's time

has now expired.

MR. NEARY:

Thank you, Mr. Speaker.

MR. SPEAKER:

The hon. Minister of

Labour and Manpower.

SOME HON. MEMBERS:

Hear, hear!

MR. DINN:

Mr. Speaker, as I have

said many, many times before, many, many times, there is a book written about how not to act as minister. The book is called the Mifflin Report. Mr. Speaker, it is a chronicle, it is a classic of how not to operate as a minister. "Your commissioner detected", it says, "throughout the evidence of the welfare officers, a strong suggestion" - they were scared of, Mr. Speaker, job security, they were scared they were going to be chucked out if they did not do this or they did not do that, Mr. Speaker.

There is an hon. member, the hon. member for LaPoile (Mr. Neary) who received letters last year from the Mayor of Port aux Basques, Rose Blanche,

MR. DINN:

Isle aux Morts, Mr.

Speaker, concerned about power outages and what was going to happen and where we were going to get people to fix the lines that were down, Mr. Speaker. Here is a man who is standing up, Mr. Speaker - he stood up for Andy Davidson in this House, laid affidavits on the House that another Royal Commission, Mr. Speaker, of this House, another Royal Commission said were useless. It was useless, unbelievable trash, Mr. Speaker, and the hon. member for LaPoile (Mr. Neary) got up and traipsed it out across this House, throwing his poison across this House about some people who could not come into this House to defend themselves, Mr. Speaker. The hon. member got up with his Andy Davidson affidavits and all the rest of it, in this House, and he is a master at it, Mr. Speaker. And here it is, Mr. Speaker. The hon. member who had a book written about it, about how not to act as a minister of the Crown, called the Mifflin Report, a chronicle. It goes through chronological events of what happened in Bell Island, where the funds were spent, what they were spent on. Booze, booze - they were supposed to be spent on house supplies and repairing houses - spent on booze and all the rest of it, Mr. Speaker. And the hon. member for LaPoile over badgering his welfare officers, making sure that they did it and if they did not they were scared they would lose their jobs. Mr. Speaker, that is what I call interference. Mr. Speaker, that is interference of the highest order.

And, Mr. Speaker, the hon. member has the gall, the colossal gall, to stand up in this House and ask me to resign because I am doing my job. The hon. member never read section 24 of the Department of Manpower Act. All he has to do is read that and see what the responsibilities and the powers of a minister are. A minister has to do it under the act passed by this Legislature,

MR. DINN:

Mr. Speaker. He has to make sure that these things, these boards and commissions are defended when they are attacked, when things are alleged. Mr. Speaker, read it. The hon. member - this act was passed by this House of Assembly and the hon. member can go and read it himself. Mr. Speaker, if he cannot read, if he cannot read the act, he should go and get it and read or have somebody it for him, Mr. Speaker. It is the responsibility of the minister.

Now, the Labour Relations Board, Mr. Speaker, has certain responsibilities under the Labour Relations Act. The Minister of Labour and Manpower has the overall responsibility for administering that act and, Mr. Speaker, I take that responsibility very seriously. Now, Mr. Speaker, I regret, I regret that the Board misinterpreted what I wrote in my letter, I regret that, no question about that at all. I regret that. The Board misinterpreted what I wrote in my letter but the fact of the matter is, Mr. Speaker -

AN HON. MEMBER: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. DINN: - I wrote that letter because of an expressed concern of a gentleman who wrote me, who deserves a reply.

MR. NEARY: Your buddy down at the light and phone.

MR. DINN: Now, Mr. Speaker, the other thing -

MR. NEARY: Your buddy (inaudible).

MR. DINN: - the other thing -

MR. SPEAKER: Order, please!

MR. DINN: - and we have in the House today a man whom I respect in the Opposition.

MR. NEARY: (Inaudible).

MR. SPEAKER (Simms): Order, please!

MR. DINN: - a man who I have a great deal of -

MR. NEARY: (Inaudible).

MR. SPEAKER: Order, please!

MR. DINN: - respect for in the Opposition, the hon. member for the Strait (Mr. Roberts) who should know better, Mr. Speaker.. He should have given his advice to the hon. member for LaPoile (Mr. Neary) who knew, Mr. Speaker, that this was before the courts and brought it up in this House. And, Mr. Speaker, if I had not gotten up in this House and defended myself - there was something that was before the courts sub judice, should not have been discussed, and here we had the Leader of the Opposition (Mr. Stirling) and the member for LaPoile out traipsing it out in public, Mr. Speaker -

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

MR. DINN: - traipsing it out in public.

MR. SPEAKER: Order, please!

A point of order has been raised by the hon. the Leader of the Opposition.

MR. DINN: I am getting to them now. The 'Barry' principle.

MR. SPEAKER: Order, please!

MR. STIRLING: Mr. Speaker, maybe the Minister of Labour and Manpower would explain to us now how he suddenly became so knowledgeable about things not being handled before the court. When he received their first letter it told him it was before the court and all the action that he took he took because it was before the court.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. STIRLING: Maybe he can now explain that.

MR. SPEAKER: Order, please! I believe it is obvious that that is a question that should better be asked during Oral Question Period, not as a point of order.



MR. SPEAKER (Simms): I have to advise the hon. minister now, of course, that his time has expired and -

MR. DINN: Well, I will have another crack anyway, Mr. Speaker, I will tell the hon. member for Grand Bank.

MR. SPEAKER: The second matter for debate was to be raised by the hon. member for Grand Bank but he is not in his seat. Therefore, the motion is that the House do now adjourn.

MR. NEARY: Can I speak in his place?

MR. SPEAKER: No. On motion, the House at its rising adjourned until tomorrow, Friday, at 10:00 a.m.