

Vol. 2

No. 73

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
3:00 - 6:00 P.M.  
WEDNESDAY, DECEMBER 7, 1983

The House met at 3:00 p.m.

Mr. Speaker in the Chair

MR. SPEAKER (Russell): Order, please!

ORAL QUESTIONS

MR. WARREN: Mr. Speaker.

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

MR. WARREN: Mr. Speaker, I would like to ask the House Leader (Mr. Marshall) if the Minister of Education (Ms. Verge) will be in today?

MR. MARSHALL: The Minister of Education will be in today.

MR. WARREN: Okay, Mr. Speaker.

In the absense of the Minister of Education, I will ask a new question of the House Leader, I guess, in the absence of the Minister of Transportation (Mr. Dawe), whom I have not seen for the last number of days. Maybe he is busy on the campaign trail somewhere.

MR. SIMMS: He is in a snowstorm in Ottawa.

MR. WARREN: In a snowstorm in Ottawa. Well, talking about storms, Mr. Speaker, could the hon. the House Leader advise the hon. House if the Department of Highways is doing a satisfactory job of keeping the highroads in this Province clear of ice and snow?

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

MR. MARSHALL: Yes, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. WARREN: Mr. Speaker.

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

MR. WARREN: Mr. Speaker, I expected that the hon. the House Leader was going to say yes. I would like to

MR. WARREN: ask the hon. the House Leader (Mr. Marshall) if he can confirm that it was after 9:00 on Monday past before any highway equipment was out on the highway between Steady Brook and Corner Brook?

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

MR. MARSHALL: Mr. Speaker, obviously the hon. gentleman knows that I cannot confirm that. I could make another comment but I will not, Mr. Speaker. Obviously, I cannot.

MR. WARREN: Mr. Speaker.

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

MR. WARREN: Mr. Speaker, seeing that the Minister of Education (Ms. Verge) is not here, I will readdress my question to the Premier who just walked in, just back from the campaign trail -

SOME HON. MEMBERS: Hear, hear!

MR. WARREN: - not looking very confident, I might add. Yesterday there was a slight

MR. WARREN:

accident with one of the school buses which was carrying some sixty students from Beaconsfield School

to their various homes. Well, the minister of Education (Ms. Verge ) is here now so I will address my question to her. It is amazing, Mr. Speaker, that the minister cannot even get into the House on time.

Yesterday there was a slight school bus accident, something that we were probably expecting for a long, long time, and if we are not careful there may be more, Would the minister now undertake to advise the various school boards throughout the Province that no school children will be transported to and from school in a standing position, which means they must be seated on the school bus?

MR. SPEAKER (Russell): The hon. Minister of Education.

MS. VERGE: Mr. Speaker, the matters raised by the member for Torngat Mountains (Mr. Warren) are not necessarily related. My officials, specifically the Supervisor of Bus Transportation in the Department of Education, today was on to the police and the authorities of the St. John's Roman Catholic School Board about yesterday's incident, requesting a thorough report. From the information gathered so far it seems that witnesses to yesterday's accident claim the bus ran over a curb which jolted a bolt and knocked it out of place resulting in the rear wheels coming off the bus. This happened, evidently, when the bus was coming to a stop.

The vehicle in question evidently was inspected at the start of this school year by a licenced garage and was determined to be mechanically fit. But the police, the Royal Newfoundland Constabulary, are now conducting an investigation of this accident and will be, I trust, providing a report to the Department of

December 7, 1983

Tape 3754

PK - 2

MS. VERGE:

Education. If it is determined that there should be more stringent requirements for inspection of buses, then all hon. members can be assured that government will act promptly on the recommendation.

What the hon. member opposite

MS. VERGE: says about standees on buses has really no relationship to this incident. The present law says that standees are permissible in accordance with national standards when buses are travelling routes where in no place the speed limit exceeds fifty kilometers per hour. In other words, standees are allowed on buses only where buses travel roads within cities or municipalities. Standees are not allowed on routes where the Trans-Canada Highway or a major highway is part of the route. And I reiterate, this arrangement, this present regulation, is in accordance with national safety standards.

MR. WARREN: Supplementary, Mr. Speaker.

MR. SPEAKER (RUSSELL): Supplementary, the hon. member for Torngat Mountains.

MR. WARREN: I do not know what the press have against me but something just came down on my head.

SOME HON. MEMBERS: Hear, hear!

MR. WARREN: I do not think the minister should rely on national standards. Surely goodness, we are a Province now and we should be able to bring in our own standards as it pertains to children in the Province of Newfoundland and Labrador. I am satisfied that there was an inspection done on the bus. But there were sixty students on this particular bus and there was no one standing. I think it was a lucky day there was no one standing because if there had been, with that jolt that the minister just explained, we could have had students injured, and that is a concern to me and a concern to parents throughout the Province. So my question to the minister is will she undertake to advise the school boards throughout the Province that buses transporting students to and from schools in future -maybe it is too late for this year - but in the new school year that no school board be allowed to transport children unless they are in a sitting position on a bus? Will she take that under advisement?

MR. SPEAKER (RUSSELL): The hon. Minister of Education.

MS. VERGE:

Mr. Speaker, the recommendation that the Government of Newfoundland and Labrador exceed national safety standards by funding a more generous arrangement has been considered already by this administration. But that points out the double bind, does it not? I mean, after all, just meeting national safety standards when we do not have national average means of funding those standards, largely because the policies of the central government in Ottawa

MS. VERGE: impose a huge burden on the Government of this Province, contemplating doing above and beyond that -

MR. WARREN: What are you afraid of?

MS. VERGE: - which would require additional millions of dollars, is financially impossible. It is not that the Government of the Province would not like to do better than national standards, it is that we really do not have the means to even provide for national standards.

MR. WARREN: So to Hell with the students lives, right?

MS. VERGE: Mr. Speaker, right now the Department of Education is paying something in the order of \$15 million for student bus transportation in this Province. Were we to provide more buses so that no student would stand, then we would have to count on spending several million dollars in addition and, given our resources, given our means, given the intransigence of the Government in Ottawa to allow us to develop our own resources so that we will improve our means, going above national standards for bus transportation is impossible. It is out of the question. It is financially impractical.

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

MR. WARREN: Mr. Speaker, a supplementary to the minister. If the minister is putting the finances of this Province ahead of the lives of the individual children of this Province there is something wrong with the minister.

MR. STEWART: Now, do not be so foolish!

MR. CALLAN: That is true.

MR. WARREN: The minister has it in her power, Mr. Speaker -



MR. SPEAKER (Russell):

Order, please! Order, please!

The hon. member for Torngat Mountains (Mr. Warren) has been recognized on a supplementary question and is proceeding to get into a debate and make a speech. I would request him to ask a more precise question.

MR. WARREN:

Mr. Speaker, a supplementary to the minister. If the minister is concerned about finances maybe she can come back with another answer on this one. Could the minister advise if she has had any contact with the school boards as it pertains to two-way radios to be installed in the school buses?

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

Education.

The hon. Minister of

MS. VERGE:

Mr. Speaker, no, I have not had any communication with school boards about two-way radios in school buses. Perhaps some of the officials of the Department of Education have but I have not personally, nor am I aware of any discussion of that subject.

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

MR. WARREN: Would the minister undertake through her officials to contact the various school boards throughout the Province, which I again suggest to her on behalf of the hundreds of thousands of school children in this Province who have to travel by school bus, to at least look at the human factor involved and ask the school boards to, number one, install two-way radios in the school buses, which are essential? Also I think she should get after the Minister of Transportation (Mr. Dawe) to have seat belts mandatory in the school buses. Would the minister undertake for the sake of the children in this Province to make sure that the transportation of those kids to and from school is carried out in the safest manner possible? Could the minister do that?

MR. SPEAKER: The hon. Minister of  
Education.

MS VERGE: Mr. Speaker, I confirm that every effort has been made by the Department of Education, in consultation with the Department of Transportation and the Safety Council and the school boards, to see that there is a minimum of risk to students travelling on school buses. There have been a lot of special measures taken over the past few years regarding school bus safety, including special education programmes for school bus drivers as well as stepped-up mechanical inspections of vehicles. And, Mr. Speaker, I assure everyone here that every effort within the financial means of the Province will be made to protect the safety of children riding on

MS VERGE: buses to school.

MR.SPEAKER: (Russell): The hon.member for Eagle River.

MR.HISCOCK: My question is to the Premier. The Premier and his government ended up asking the Supreme Court of Canada if they would put aside the decision on the Water Reversion Act until the Province could negotiate with the province of Quebec. Could the Premier inform this House on the progress of these negotiations and when a decision will be brought down by the Supreme Court? How long will we have to wait for the postponement of the decision?

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

MR.MARSHALL: Mr. Speaker, the situation with respect to that is that talks are ongoing and talks are still ongoing. The decision has been postponed until the end of December, as the hon. gentleman knows, and it is not really deemed to be in the best interests of the ultimate , hopeful successful resolution of the question to make any other comments than I am now making.

MR.HISCOCK: Mr. Speaker.

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

MR.HISCOCK: A further question to the Minister of Energy (Mr. Marshall). With regard to asking the Supreme Court of Canada to withhold its decision until the end of December, have the government and the Minister of Energy contemplated asking the federal Supreme Court to also postpone a decision with the offshore while the Minister of Energy and the Minister of Energy (Mr. Chretien) for Ottawa get back to negotiation and work out a deal before the decision is made by the Supreme Court? Is the government contemplating this move?

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

MR. MARSHALL: Mr. Speaker, the circumstances are entirely different. The approach made to the Supreme Court of Canada with respect to the Water Rights Reversion Act, for reasons already given, the atmosphere occurred which made it obvious that there was a possibility of opening negotiations in that case. In the other case, at the present time, regrettably, apparently there is no such atmosphere. As the hon. gentleman knows, the position taken by the federal Minister of Energy, Mines and Resources (Mr. Chretien), presumably is the position of the Government of Canada and they in fact are awaiting that court decision. And this court decision, the hon. gentlemen know, was one that was put in on a direct reference by the federal government, so obviously the federal government wants to get the decision.

MR. WARREN: Mr. Speaker.

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

MR. WARREN: Mr. Speaker, my question is to the Minister of Social Services (Mr. Hickey). I understand that the Minister of Social Services will be accompanying the Minister of Rural, Agricultural and Northern Development (Mr. Goudie) to Labrador early next week. Could the minister advise the House if he or his department changed their mind concerning the chronic care facility for Labrador?

MR. SPEAKER: The hon. the Minister of Social Services.

MR. HICKEY: Mr. Speaker, I am not above changing my mind in the light of new information -

MR. WARREN: Hear, hear!

MR. HICKEY: - or changing needs or changing circumstances or anything like that. I do not really know

MR. HICKEY:                                what the hon. gentleman is asking me what I have changed my mind on and, therefore, of course, I hesitate to give him a definitive answer. I will tell him if he wants to know why I am going to Labrador. I am going to Labrador with my colleague as I promised I would way back, a couple months ago to discuss with community groups the whole area of services by my department, with some emphasis on chronic care services, and to have some meaningful dialogue. I had met with the Health Care Committee in St. John's here for a day, but there are other groups and other individuals whom I believe it would be useful if we had some dialogue with. As to changing of mind on that particular issue, Mr. Speaker, I do not think I am in a position, nor have I had any information which would lead me to any conclusion that there is any change of mind on that particular point.

MR. WARREN: Mr. Speaker, a supplementary.

MR. SPEAKER (Russell): The hon. member for Eagle River.

MR. WARREN: In a previous question to the minister some time ago, the minister said that chronic care patients would be taken care of in the Paddon Memorial Home. Now could the minister advise the House if he has received confirmation from officials from the Paddon Memorial Home that they cannot accommodate any chronic care patients?

MR. SPEAKER: The hon. Minister of Social Services.

MR. HICKEY: No, Mr. Speaker, I have not received anything to indicate that the Paddon Memorial Home cannot accommodate any more chronic care patients. I am aware of the fact when this issue arose there was a vacancy at the Paddon Memorial Home of about twenty-seven or thirty, very quickly those vacancies were taken up. I do not know what the nature or what the degree of chronic ailment those people have. I do know that there are some people in that home, as there are some in all homes, who are ambulatory.

And what I said in the House, and in fact publicly outside of the House with respect to that particular institution, is that the government's programme certainly calls for an institution or one institution, that we have not been able to afford the luxury of a two-tier institutional system, of one institution for people below the age of sixty-five and one for above the age of sixty-five, at a time, Mr. Speaker, when we are unable to deal with the whole problem of chronic care throughout the Province as quickly as we would like to. So consequently we cannot afford that kind of luxury. That is really what I said.

MR. HICKEY:

The other point I made I think was a very valid point, Mr. Speaker, as well, and that was that, given the fact that there is a very well run, a very good institution, in fact, almost a new institution, one of the newer ones in Happy Valley/Goose Bay, that if and when the need was such that additional beds were required, the appropriate thing or the practical thing to do would be to extend that institution.

MR. WARREN:

Mr. Speaker.

MR. SPEAKER (Russell):

Mountains.

The hon. member for Torngat

MR. WARREN:

Mr. Speaker, I was anticipating the minister's last remarks.

Now that the Paddon Home cannot accommodate any other patients, in fact there are nine people at the present time on the waiting list, with this in mind, and with the need for chronic care facilities in Happy Valley/Goose Bay area, including North West River, has the minister considered - two questions in one, Mr. Speaker - has the minister considered an expansion to the Paddon Memorial Home? And if so, would the expansion have to go on the priority list below, say, Gander and Placentia and Carbonear and Burin and so on? How would this fit in when chronic care facilities are urgently needed in Happy Valley/Goose Bay at the time?

MR. SPEAKER (Russell): The hon. Minister of Social Services.

MR. HICKEY: The needs, Mr. Speaker, of people suffering from chronic illnesses and those requiring chronic care services is an ever-changing situation. A priority list is a priority list based on need and based on a very solid, carefully developed criteria. If we are to keep up to date with that and to give it some kind of sanity in its application, then the list obviously would change from time to time based on changing conditions. I can certainly say to the hon. gentleman, who refers to a waiting list of nine, I am glad to see that he has revised his figures because in another discourse in the House some time ago, months ago, the figure of 113 was used.

MR. WARREN: No, I never said that.

MR. HICKEY: I am not saying the hon. gentleman did, but the figure of 113 was used. And I said at the time there were twelve, now the hon. gentleman says nine, so that makes me pretty much on target because I believe we looked after four or five during that period of time.

Mr. Speaker, finally, a waiting list of nine is a very good position to be in in the Province, especially when I have to look at a list of 240, a list of 420, a list of 170 and all of those areas.

MR. WARREN: How many in Gander?

MR. HICKEY: There is a waiting list of 170 in Gander, Mr. Speaker, but I have not seen that list and that list will have on it, I am sure, people from areas other than Gander where there are institutions, such as Lewisporte, Grand Falls, down the loop where there is an institution down in Wesleyville, and a catchment area for Gander to a large extent is Gander because there are other institutions all around it. So I suspect that the waiting list of 170 would not necessarily apply to the town of Gander.



MR. SPEAKER (Russell): The hon. member for Bellevue.

MR. CALLAN: Mr. Speaker, I want to get back to a question that I asked the Minister of Education (Ms. Verge) yesterday. The minister in her response did not say very much in the way of answering the question that I asked. Actually my question was to the Minister of Finance (Dr. Collins) and he referred, or deflected it to the Minister of Education. Could the Minister of Education tell the hon. House whether or not a new site has been chosen for the proposed new School for the Deaf, has a site been finalized?

MR. SPEAKER: The hon. Minister of Education.

MS. VERGE: Mr. Speaker, no, a site has not been finalized. Various locations in and around the city of St. John's have been examined. One attractive site does not seem to be available, or at least the last indication I had was that it was not available. To come back to yesterday, I think the member for Bellevue (Mr. Callan) asked specifically whether the Minister of Finance's statement about no new initiatives in 1984-85 would stifle the needed new facilities for the School for the Deaf. Mr. Speaker, the proposal to replace the School for the Deaf is not new, it is something that has been before government for several years and it was provided for in the five year plan. With other major educational capital projects now being on stream, the School for the Deaf replacement has moved up to become number one priority for major education capital works in the Province. And I am optimistic that the means will be found to fund the desperately needed new facilities for the Newfoundland School for the Deaf. It is just a question of refining the design so that it is

December 7, 1983

Tape 3761

NM - 2

MS. VERGE:

adequate yet economical

and is affordable.

MR. SPEAKER (Russell):

The hon. member for

Bellevue.

MR. CALLAN:

A supplementary, Mr. Speaker.

MR. CALLAN: Mr. Speaker, the Minister of Education (Ms. Verge) yesterday did say that it was a high priority and she has repeated again now that it is a high priority with government. Actually, in the five year plan that the minister refers to, there is a short paragraph there which says, 'A high priority' - and this was tabled in the House back in 1980, three years ago - it says, 'A high priority has been assigned to providing a new School for the Deaf children early in the planning period.' Now that was three years ago and, of course, the first or second year would have been early, I am sure, in most people's estimation, but here we are almost down to the last couple of years of the planning period and the minister tells us that there is no site chosen. Would the minister confirm to this House that there will be some money in next year's budget? As I said yesterday, in 1982-83 \$600,000 was allocated, none was spent, last year none was allocated, none was spent. Will the minister assure this House that in this year's budget that some money will be allocated for the new School for the Deaf?

MR. SPEAKER (Russell): The hon. the Minister of Education.

MS. VERGE: Mr. Speaker, it really would not be proper for me to short-circuit the legitimate budgetary process which has to involve every member of government, which has to receive input from every department of government and give any firm indication here today about what will be provided for education in the next budget. I am afraid the hon. member and the general public are going to have to wait until that process is carried out and announcements are made, in the proper way, through the Minister of Finance (Dr. Collins).

MR. CALLAN: Mr. Speaker.

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

MR. CALLAN: Mr. Speaker, back in March or April of last Spring, when the committee of concerned parents of deaf children discovered that there was no money allocated in the budget, this committee met with the Minister of Education (Ms. Verge) and the Minister of Education orally gave some commitments and some promises to that group. As I understand it, though, months went by and they were trying to get the Minister of Education to put on paper the promises that she had made orally at that meeting. Would the minister confirm that she has now put these promises and commitments on paper?

MR. SPEAKER (Russell):

Education.

The hon. Minister of

MS. VERGE:

Mr. Speaker, the precise nature of government's projects for next year will not be determined, as I said before, until the budgetary process is carried out. Now, at the moment officials of the Department of Education, with the Department of Public Works have completed the task of reviewing the proposed design. I understand from my colleague, the Minister of Public Works (Mr. Young) that a report is about to come to Cabinet outlining that review, as well as providing some information about possible sites for the facility. And it will not be until all of these things are done, which will culminate in the full Budget and decisions which will be announced by the Minister of Finance (Dr. Collins), that I will be able to give any exact undertakings and commitments to the people associated with the School for the Deaf.

What I have done is assure them that government has not reversed its intention, which it stated in the five year plan, of proceeding with construction of replacement facilities for the School for the Deaf. There has been a fair amount of preparatory work done and this project has now moved up to number one priority in major educational capital works with the other two top priorities stated in the five year plan now having been taken care of or in the process of being taken care of.

MR. SPEAKER:

The hon. member for Bellevue.

MR. CALLAN:

Mr. Speaker, let me put a supplementary question, then, to the Minister of Finance, I tried it yesterday and he referred the question. In view of the fact that the present School for the Deaf is located dangerously close to the airport, dangerously close, and, of course, inappropriately close because of the traffic and the noise and

MR. CALLAN: so on from the airport,  
for the instructors and so on, and in view of the fact that  
there is a fair amount of pressure, I understand, with companies  
moving in here in anticipation of reaping some profits from  
the offshore oil and so on, that there is some pressure from  
companies to obtain the site where the School for  
the Deaf is located presently for helicopter launching and  
landing pads and so on,

MR. CALLAN: would the minister confirm or deny that the School for the Deaf will not be among one of the projects that the minister referred to in his mini-financial statement of two weeks ago which will have to be shelved? Will the minister tell us whether it will be shelved or not for the next year?

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

DR. COLLINS: Mr. Speaker, the hon. member is, understandably, because he obviously has a concern in this area, trying to get a commitment, but I just have to reiterate what the hon. Minister of Education (Ms. Verge) said, that all government expenditures are planned and the main planning mechanism is through the budgetary process and that process has to apply to all initiatives of government. But, on the other hand, I think the hon. member should take comfort in the fact that government has stated a clear policy of replacing the School for the Deaf. It will be done with the greatest possible dispatch. Unfortunately there were difficulties run into earlier on when the cost came in much above expectations and there had to be some delay as a result of that, but I do not think that alters the policy thrust of this government which has been stated any number of times, put in writing and so on and so forth, but nevertheless, when you get down to the actual allocation of funds, that has to await the budgetary process.

MR. SPEAKER: Time for the Question Period has expired.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

MR. HICKEY: Mr. Speaker.

MR. SPEAKER: The hon. Minister of Social Services.

MR. HICKEY:

Mr. Speaker, I would like to offer the member for Torngat Mountains (Mr. Warren) a bit of additional information on the question he raised regarding the lady in Hawkes Bay.

First of all, I informed him that the lady was offered accommodations in a community outside Hawkes Bay, and the media, CBC, I believe, indicated that she did not want to move there because she wanted to remain with her relatives. I can inform him now that she had a brother in that community, I think that is as close a relative as one can get, and she still did not want to move. The hon. gentleman also raised the point that I knew about the issue three years ago from the former member for the area, Mr. Bennett. I want to tell him that on September 10, 1981, Mr. Bennett made a phone call to my Director of Inquiries, she investigated the matter through my social worker and managers out in the area, got back to Mr. Bennett October 6, gave him a copy of a detailed report of the circumstances, which I am unable to table because, of course, we do not speak publicly about confidential matters pertaining to our clients, like some people do, and obviously that report satisfied Mr. Bennett very much because he did not make any further representations, and I was not made aware of the situation until I heard about it on CBC.



MR. SPEAKER(Russell): The hon. the Minister of  
Public Works and Services.

MR. YOUNG: Mr. Speaker, I would like to  
table the answers to questions 157 and 159 on the Order  
Paper asked by the hon. the member for Eagle River(Mr. Hiscock).

MR. HISCOCK: Why did not the hon. minister  
read them?

MR. YOUNG: They are too foolish to read,  
Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Are there any other Answers to  
Questions for which Notice has been given?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

ORDERS OF THE DAY

Motion, second reading of a bill  
"An Act To Control And Regulate The Distribution And Use Of  
Pesticides". (Bill No. 72).

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

MR. ANDREWS: Mr. Speaker, this is a new act  
replacing the old Pesticides Control Act

passed in 1970, which is thirteen years ago. Since that  
time there has been considerable changes in the use of  
pesticides and herbicides throughout the Province of  
Newfoundland and Labrador.

A basic change that we are  
presenting here, I will be asking for in this new act, is the  
old act did not bind the Crown. In that regard I refer  
to spray programmes that may be proposed by government  
agencies, Newfoundland and Labrador Hydro, Forest Resources  
and Lands, the Department of Agriculture and various other

MR. ANDREWS: government agencies, and the Department of Transportation. All of these government agencies are, particularly Hydro, Transportation and so on, clearing right of ways for highways, power lines and so on.

The old act did not provide any requirement for the offenders, the breakers of any laws to restore the environment after damage; the new act will do that. There was no provision in the old act for an operator to carry accident liability insurance to protect the public or the individual applicator from unforeseen accidents. There was no provision made to prohibit sale to an unlicensed person; the new act will require that. And there was no provision made for using unlicensed assistants.

Mr. Speaker, in the old act the maximum fine was \$1,000 per offence, that was \$1,000 per day, the new act will provide a fine not to exceed \$10,000 per day, which we think is necessary at this point in time, with the changing economic times, and with some of the proposals that may be required throughout the Province, this will be required to act as a deterrent.

We have also some need to change the act to make it consistent with the Pesticides Control Act of Canada and the new Charter or Rights regarding searching procedures and so on.

Mr. Speaker, this, as I say, is an updating and modernization of the old act. There are some other changes which I think I should comment on very briefly. There is a clause preventing injunctions to stop pesticide spray programmes when they are approved by the minister and the department. This is necessary because quite often there is a limited time, a window frame, as it is called, to spray; it may be the first two weeks

MR. ANDREWS: in the Fall of the year or maybe one week in the year, and any injunction granted as quickly as that would completely throw such a spray programme out the window. We have this anti-injunction of law now in the spruce budworm spray programme and there has been very little comment by the public about that. The Act will provide for an appeal to the minister regarding persons who are not happy with the spray programmes that are going on and, of course, it also provides for the minister to halt any spray programme and for inspectors to halt spray programmes on site if necessary.

Mr. Speaker, this is, as I say, a modernization of the old Act to provide regulation on laws which are needed in the modern times, an updating of a thirteen year old act, and I move the second reading.

MR. WARREN: Mr. Speaker.

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

MR. WARREN: Mr. Speaker, I will not have very much to say on this particular bill. In fact, I welcome the minister bringing in the bill and I assure him that on this side we will be voting for the drunk if it is a bill that is going to assist in any way to manage our resources. And I believe that this bill could do it, Mr. Speaker. However, I must make a few comments, in particular on Section 1, the first part, subsection (g) "pesticide" includes (i) insecticide, and so on and so on, "for the destruction or control of insects, birds, rodents or other pests or fungi." Now, Mr. Speaker, I am just wondering about the word 'Rodents'. I would think the common thing there would be rats, and I know that there is a school down in the Notre Dame Bay area,

MR. WARREN: according to media reports and according to the Superintendent of the school board down there, where there is a problem with rats, a particular school down there that some 200 or so children have to attend. However, according to one lady on the radio station yesterday morning it sounded like there were more rats there than students. And if this is the case, I am sure that this pesticide could possibly come in very handy down in Port Albert, I think is the name of the place, and probably they will be able to get rid of those rodents that are in the area down there so that the kids can get back to school. Another section, Mr. Speaker, I am quite concerned about, and let us hope that the minister can have more power in the future than he showed in the past, and that is pertaining to the storage of such pesticides as he is prescribing here in the bill. As we know, Mr. Speaker, there was under the minister's department, under the minister's own eyes, we might say literally speaking, there was the disappearance

MR. WARREN: in the Millertown area,  
was it not? -

MR. CALLAN: I was looking at the  
spot. It is out in Millertown.

MR. WARREN: That is right. Out in  
the Millertown area there was the disappearance of x number  
of containers -

MR. CALLAN: In area 17.

MR. WARREN: - in area 17 actually,  
as my colleague says. My colleague was up there a while ago  
looking at the place that it was removed from. The minister said,  
I think, in his comments that there will be proper storage  
facilities available for these ingredients. However, if  
the minister is no better in the future than he has been in  
the past in looking after storage, then I would suggest that  
the minister needs more than this bill to protect the health  
of the people in this Province. And at the same time, he  
said an inspector can stop a spray programme on site, and the  
minister can at any time stop a spray programme. This I will  
agree with, Mr. Speaker. However, let us hope that if a spray  
programme needs to be stopped the minister will not procrastinate,  
wait until the damage is done. Because this government is known,  
Mr. Speaker, to procrastinate.

MR. CALLAN: That is what the "P" stands  
for, Procrastinating Conservatives.

MR. WARREN: Mr. Speaker, the Minister of  
Social Services for the past two and a half years, since September  
1981, has known about this family down in Hawkes Bay and yet  
it is only now, in the new year that this family will finally get  
a house.

MR. CALLAN: Closing mines down, closing  
refineries down, they are not Progressive Conservatives, they are  
Procrastinating Conservatives.

MR. WARREN: Mr. Speaker, the minister has been told about the chronic care in Northwest River, in Happy Valley - Goose Bay and it is only now this week -

MR. SPEAKER (Aylward): Order, please!

MR. WARREN: - that the minister is going to go down, and he is going to change his mind.

MR. SPEAKER: Order, please!

I would like to remind the hon. member that we are doing Bill No. 72, and remind him of the rule of relevancy.

The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I was talking about the word 'procrastination' and I was just giving examples of how this government procrastinates. I hope that they will not procrastinate on this particular bill and make sure that they have the proper storage facilities in place and not throw it out in the woods somewhere, put it out there ready to be taken or be stolen and so on.

MR. CALLAN: They are called Procrastinating Conservatives and Sorry Tories.

MR. WARREN: Let us hope that his inspectors and himself as minister will, if they have to act, will not, again I will use the word 'procrastinate', will not keep on finding finding some reasons why they should not stop the spray. Because if that happens, Mr. Speaker, the result could be damaging.

Mr. Speaker,  
Mr. Speaker, in Section (9) it says "Every person who keeps, stores or transports a pesticide shall do so in a manner that", (a), (b), (c), and so on. Now, could the hon. minister advise other than what it says here? Under (a) it says, "insures that the pesticide does not come into contact with , or contaminate

MR. WARREN: food or drink of humans, animals or plants; and (b) insures that the special precautions or warnings on the label of a pesticide package are strictly adhered to."

That, Mr. Speaker, is very vague indeed. I do not think the minister has been strong enough in section (9). The minister has not shown enough force. If the minister is as forceful as he thinks he is, or as forceful as he should be in some things, I am sure section (9) could have been stronger. He should have made it

MR. WARREN: mandatory that those are carried out. Not many of them are mandatory, Mr. Speaker. I would suggest to the minister that Section 9 should be made a little more forceful and it would not then have to come back at a later date to be amended. This bill probably will have to be refined in another Session. But the minister could make Section 9 more forceful, making it compulsory, mandatory that those people - and he is using the word person - those persons, or those companies whichever the case may be, follow the rules and regulations to a T.

MR. PATTERSON: What about the rats?

MR. CALLAN: Rats always leave a sinking ship.

MR. PATTERSON: Who is the rat?

MR. WARREN: I am surprised, Mr. Speaker. The hon. the member for Placentia (Mr. Patterson) is always interrupting me when I speak and he is always trying to get me into a debate with the hon. gentleman. However, Mr. Speaker, if he wants to talk about rats, surely goodness all we have to do is look across at the hon. gentlemen and we have all the rats we can talk about, Mr. Speaker.

AN HON. MEMBER: You are not talking about Terra Nova, are you?

MR. WARREN: Mr. Speaker, talk about Terra Nova. Mr. Speaker, I do not think, when the election results come in around 8:00 p.m. tonight, there will be too many rats running around in Terra Nova. Tomorrow morning, I would say, Mr. Speaker, with all due respect to the Chair, Sir, there will be a victory for the Liberal party. In fact, according to the latest poll -

MR. SPEAKER (Aylward): Order, please! Order, please!  
I wish to once again remind the hon.



MR. SPEAKER (Aylward): member of the rules of relevancy.  
I cannot see how the by-election in Terra Nova has much effect on the Pesticide Control Bill which we are discussing right now.

The hon. the member for Torngat Mountains.

MR. WARREN: Thank you, Mr. Speaker.

I am sure it will, Mr. Speaker, because with our Liberal candidate, Mr. Thoms, in place after tomorrow, Mr. Thoms will make sure that the pesticides will be used in the best manner possible in the district of Terra Nova. This is why, Mr. Speaker, I brought up about Terra Nova.

With those few remarks I would like to say that we support the bill but in doing so we caution the minister to use his power in the right manner, and with concern for all people in Newfoundland and Labrador, and to make sure these pesticides are used in as safe a manner as possible so as not to disrupt the health of the people.

MR. SPEAKER: If the hon. the Minister of the Environment (Mr. Andrews) now speaks he will close the debate.

MR. ANDREWS: Mr. Speaker.

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

MR. ANDREWS: Thank you, Mr. Speaker.

A couple of points were raised by the hon. the member on Section 9. I think that section is strong enough. It says, 'Every person who keeps, stores or transports a pesticide 'shall' do so in a manner that' - and so on - 'insures that pesticide does not come into contact with, or contaminate food or drink of humans, animals or plants', and so on. It says that that person 'shall' do it and of course, as I said earlier, the fines have been

MR. ANDREWS: raised from a maximum of \$1,000 a day to \$10,000 a day with also a jail sentence involved there, a maximum of ninety days I think it is.

Regarding the Millertown situation, Mr. Speaker, as the Minister of the Environment I certainly cannot be responsible for every theft that occurs in the Province, but I did, within a matter of two hours, cancel the permit -

AN HON. MEMBER: A matter of minutes.

MR. ANDREWS: A matter of minutes, I guess it was, as soon as I could get to a telephone - I happened to be driving that day. I did within an hour cancel the licence and the permit of Abitibi-Price to spray for that year, after a quantity of the stuff was stolen. Mr. Speaker, I think it was not the smartest thing for anyone to do, to steal those pesticides or those herbicides,

MR. ANDREWS: because in the concentrated form they can be of potential danger. This act, of course, strengthens the control that the Minister of the Environment has. And with regard to major aerial spray programmes, such as the one that is proposed now by the two pulp and paper companies and the Department of Forest Resources and Lands, the main base for pesticides and herbicides control in the Province with Agriculture, and Hydro, and Transportation, will come under this Pesticides Control Act.

But The Environmental Assessment Act, I would like to say, will probably be used most of the time, I would say most definitely be used most of the time in regards to major aerial spray projects where there is concern, and major concerns about potential environmental or health hazards. And there is no doubt in my mind that there is concern, be it valid concern or not, there is concern about the potential impact of such aerial spray programmes in Newfoundland and certainly in other parts of Canada. And that is why we are putting this programme under The Environmental Assessment Act and asking for an environmental impact statement.

So I think with those acts, with The Pesticides Control Act, The Department of the Environment Act, and The Environmental Assessment Act that we do now have in place excellent control over the use and regulation of pesticides and herbicides in the Province. Mr. Speaker, I move second reading.

On motion, a bill, "An Act To Control And Regulate The Distribution And Use Of Pesticides", read a second time, ordered referred to a Committee of the whole House presently, by leave. (Bill No. 72).

Motion, second reading of a bill, "An Act To Amend The Environmental Assessment Act." (Bill No. 73).

MR. SPEAKER (Aylward):  
Environment.

The hon. Minister of the

MR. ANDREWS:

I do not have my notes on this act right now. I did not know the hon. House Leader (Mr. Marshall) was going to call this piece of legislation, I should have.

This is a very simple amendment to the act that would enable the Lieutenant-Governor in Council to make regulations respecting the requirements and design and implementation of environmental monitoring and rehabilitation programmes after the commencement of an approved undertaking.

In other words, what we are asking here, major projects such as the Cat Arm project, such as the Upper Salmon, which, I must say, Mr. Speaker, we had great co-operation with Newfoundland Hydro, what we are asking here is that I have the authority and the Lieutenant-Government in Council have the authority to order, which we do not now have, the authority to order that proper rehabilitation take place of territory and land that has been torn up in some way, the beautification in some regards, and the clean up of general construction activities. And I think it will apply mainly to large construction projects. That is what this is aimed at. It is an omission in the original drafting of the act, Mr. Speaker.

MR. SPEAKER:

The hon. member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, again let me say at the outset we will support this bill. I am sure if the hon. House Leader (Mr. Marshall) was introducing this bill he would say what he said yesterday, that this is perhaps overdue.

MR. WARREN: Mr. Speaker, this is long overdue. It should have been brought in years and years ago. This government could have brought it in years ago. The former government could have brought this amendment in years ago. And, Mr. Speaker, it is a good thing that the minister is bringing in this bill. Because all we have to do is look at our countryside, just look at our countryside today, where mining companies have come into this Province and have left, and various other companies have come and gone and have just left our countryside in a state, in a terrible, terrible state.

MR. CALLAN: Mess.

MR. WARREN: In a terrible, terrible mess. I will just go back, Mr. Speaker, to the Kitts-Michelin area where BRINEX was doing some exploratory work for a number of years. There are vacant, dug out caves and so on just left, the ground is just destroyed in some areas there at the present time. After the minister's answers to my questions there last week concerning the Strange Lake development, Mr. Speaker, I would strongly suggest to the minister if he has not already done so, and I do not think he has, it would be worth his while to take a first-hand look at what has been going on in the Strange Lake area, presumably in the Province of Newfoundland and Labrador; we do not know for certain because it is on the borderline there. Now, it is no good to go up there this time of the year, no good. I suggest that the minister should go up some time after June, between June and September.

MR. CALLAN: And I would be glad to go with him.

MR. WARREN: I beg your pardon.

MR. HOUSE: This is referring to cleaning up after, this bill.

MR. WARREN: Yes, after the thing is done. Well, okay, fine and dandy, this bill does it after the cleaning up is done. But, Mr. Speaker, what about Kitts-Michelin? There has not been any operations at Kitts-Michelin for the last six years? So, now, is this bill going to say to BRINEX, 'Go in and clean up your act'. There are empty oil drums, Mr. Speaker, all over the countryside between Postville and Makkovik, old parts of machinery, old parts of buildings just left there, Mr. Speaker. Is this bill going to say to BRINEX, who left there six years ago, 'Okay, boys, get back in there and clean up'? Is this bill going to say to Petro-Canada who is at the Cape, the site in Hopedales, the former USA site in Hopedale, is this bill saying, 'Okay, Petro-Canada, if you are moving out clean up this mess'? Is this bill going to say to the United States Air Force who vacated Cape Ailek and Cape Makkovik and Cartwright some eighteen or nineteen years ago, is this bill saying to the United States Air Force, 'Get in and clean up the mess you left behind'? If this bill is saying this, Mr. Speaker, it will be one of the best bills that this government brought into this House.

DR. COLLINS: I am sure they do not do that. I mean, did the U.S. Air Force leave a mess?

MR. WARREN: So far so good, yes, but they still left behind a mess, they left behind a real mess. If you go to Cape Makkovik or Cape Ailek today and there is still -

MR. BAIRD: They left some Liberals behind.

MR. WARREN: Yes. The United States Air Force at that time, I do not think, was ruled by any Liberal or Conservative government. I think they had strings pulled by Uncle Sam. Uncle Sam was pulling strings and it had nothing to do with the Province of Newfoundland, Mr. Speaker, at that time. And, Mr. Speaker, I would suggest, if the minister is bringing in this bill, why does he not take the first \$20,000 and get a ride on a helicopter and

MR. WARREN: go throughout the various American sites. Even in my hon. friend's district, the member for Placentia (Mr. Patterson), go out and look over the Argentia site. And, Mr. Speaker, go to the outskirts of Gander again and just see if the Canadian Forces have done what they should have done. If we are bringing in this bill to make sure everything is tidied up, let us do it properly.

Mr. Speaker, I am concerned that with the development of Strange Lake, the prime area for the caribou herd, that what will happen there will be disastrous. It may be beneficial financially for the Province, but it will be disastrous for the native people of this Province. My underlying concern is what effect this will have on the native people in this Province.

Mr. Speaker, even today, and I will repeat about the United States Air Force, there are small individual companies going to sites such as Cape Makkovik and Cape Ailek, the site in Cartwright, the site in the Pine Tree area in Hopedale, there are people going there today picking up the remains of motors and building materials. These were just left there, some torn down and some falling down. Let us improve our countryside, if this bill is coming into effect, even if it is going to cost government so much money. Clean up the mess and get rid of it.

Maybe the American Forces do not need any of this anymore, maybe the government could take it over and turn it over to some of the communities. I would suggest, Mr. Speaker, that we not bring in this bill just for the sake of the minister bringing in a bill, let us put some teeth into it and have those various sites throughout the Province cleaned up.

MR. WARREN: And let us take a look at the mining companies. Mr. Speaker, if the Iron Ore Company of Canada decides to pull out, what kind of a mess do you think the countryside will be left in in Labrador City and Wabush?

What happens down in the Baie Verte area if Transpacific Asbestos pulls out? We do not know how long they are going to stay. That is one thing we cannot tell. How about Buchans?



MR. WARREN: You know, there is no mining in Buchans now, it is practically closed down. Will Buchans be restored environmentally?

MR. CALLAN: This government are closing everything down.

MR. WARREN: This government are forcing companies out of business. This government have forced more companies to go bankrupt in this Province in the last five years than the previous Liberal Administration and the previous Moores Administration did in the twenty-eight years.

MR. PATTERSON: How many went bankrupt on the Mainland in the last three months?

MR. WARREN: I am not concerned about the Mainland, I am concerned about the Province of Newfoundland and Labrador.

MR. CALLAN: They have Tory governments up there, that is why.

SOME HON. MEMBERS: Oh, oh!

MR. WARREN: The hon. member should remember that there are some eight Tory premiers across Canada, if that sheds any light on the subject. There are eight Tory premier's across Canada, so that should tell him why there are so many companies on the Mainland that are going bankrupt, Mr. Speaker. And the reason those companies are going bankrupt, is, as the old saying goes, because it is true and nothing but the truth, 'Tory times are hard times.' We all know that, Mr. Speaker. The hon. the member for Bonavista North (Mr. Cross), in his boyhood days in a schooner going down on the Labrador Coast, many times said then, Mr. Speaker, 'Tory times are hard times.' And we have an indication across Canada of just

MR. WARREN: how hard they are.

MR. CALLAN: What! Is he a turncoat too?

MR. WARREN: No, I do not think he is a turncoat. That is one thing I can say for the hon. the member for Bonavista North (Mr. Cross).

MS VERGE: Did the hon. member teach you in school?

MR. WARREN: Did he teach me in school? You are bringing up a nice subject now. The hon. gentleman tried to teach me in school.

SOME HON. MEMBERS: Hear, hear!

MR. CALLAN: He was the teacher's pet too.

MR. MARSHALL: Are you for the bill or against the bill?

MR. WARREN: Mr. Speaker, in response to the hon. House Leader (Mr. Marshall), we are for the bill. Let us not do the same as we did with so many bills during the last four years, bring a bill in and not follow up on the bill. That is what this government have done time and time and time again, bring a bill in and not follow it up.

MR. CALLAN: Why is this bill brought in, that is the question? Why was it brought in? There must be some reason.

MR. WARREN: The reason it was brought in is because of what is happening, for example, in Kitts-Michelin, what is happening down in St. Lawrence, and what is happening down around Baie Verte. I am sure my hon. friend, the member for Bellevue (Mr. Callan), will mention some other places where the countryside has just been destroyed by mining companies coming in here and taking their piece of the pie. This government gives them a free hand and lets them go in and take over,

MR. WARREN:                                says to the boys, 'Go in and do what you want to do and we will not bother you.' Then take off and leave us behind with our country destroyed! This is what is happening, Mr. Speaker. And with those few remarks I suggest to the minister that if he is bringing an amendment to The Environment Assessment Act, let us show the companies -

MR. PATTERSON:                            Who brought the shrews into Newfoundland.

MR. WARREN:                                I do not know, Mr. Speaker, who brought the shrews, but I know that this government is still in power and there are lots of rats here. So, Mr. Speaker, with those few remarks I will leave it to my colleague.

MR. CALLAN: Mr. Speaker.

MR. SPEAKER (Aylward): The hon. the member for Bellevue.

MR. CALLAN: Mr. Speaker, I do not intend to spend very much time on this particular bill, I did hear, though, the minister in introducing the bill, and, of course, his colleague who sits to his left, refer to the fact that this amendment to this bill forces companies to clean up after.

MR. ANDREWS: There is not much sense in cleaning up before.

MR. CALLAN: I am talking about a monitoring programme 'during'. A monitoring programme 'during' is what I am talking about. The minister need not try to be too smart, Mr. Speaker.

MR. WARREN: It is not becoming of him.

MR. ANDREWS: I put the accent on after the commencement, after the beginning.

MR. CALLAN: Oh, after the beginning. Oh, I thought the Minister of Health (Mr. House) referred to after they have finished their work.

Mr. Speaker, in my particular district, in the district of Bellevue, as a matter of fact in my own home town, there is a barite mine at Colliers Point, in Colliers Bay, about two miles from where I live actually, and what happened there several years ago, Mr. Speaker, is a company, nobody knew who it was - as a matter of fact, I remember asking a couple of questions in the Legislature when the member for Mount Scio (Mr. Barry) was the then Minister of Mines and Energy and the minister could not answer the questions. And I remember Ron Pumphrey was out, I had Ron Pumphrey out a couple of years ago as guest speaker to out Citizen of the Year Award, and we had a donation from this George Bobella, this fly-by-night, who came in there and hired equipment and local contractors to build a mile and a

MR. CALLAN: half of road, and who tore up the countryside. And to add insult to injury, the contractors, I suppose, have not been paid yet for spending \$110,000; that was just one of the bigger contractors, there were dozens of local people, local creditors who never got paid for gas bills and repairs bills and so on. I believe the company that is in there now is at least the fourth company that has been into the Colliers Bay mining site since it started four or five years ago, since they went in there, as I understand it as I said.

It seems like these people, Mr. Speaker, these companies, can move in and take over and tear up the countryside. I remember when Mr. George Bobella, the fly-by-night from the States who was there, trucked out tons and tons of barite. You know, not only was he doing a lot of damage to Colliers Point, the area where the barite mine is located, but he was guilty of noise pollution as well. Because from very early in the morning until night the trucks trucking out this barite would travel back and forth our highways, tearing up the roads, tearing up the pavement and nobody getting a copper out of it. And even the local businessmen who were providing some services and supplies, even they were left holding the bag. How these companies can come into a town, Mr. Speaker, as I said, and pollute the countryside and tear up and build roads which will leave scars on the hillsides is beyond me. This is the thing that I am concerned about. A monitoring programme by the Department of the Environment, unless something happens, Mr. Speaker, in the way of adequate monitoring, I have a feeling that something disastrous may happen at that particular barite mine, because the mine is old. As I understand it, over eighty years ago barite was mined and loaded aboard ships. Today, of course, it is

MR. CALLAN: trucked out by tandems and so on, but it loaded aboard ships. Some of it was used for ballast for ships, because barite is a very, very heavy mineral in comparison with its mass. But the last crowd who were there, found where the old mine was, went in and found a shovel that was left there by the previous operators, more than eighty years ago, before the turn of the century. But the last operator, I understand, who was going to go into this same mine, he used some cribbing which was totally inadequate. I understand that the new operator now says he is going to haul all that out, because he would not send a man in there anyway. And, of course, we are in the age of sending men into mines rather than horses as we saw in other places around the early part of the century, where horses were used to pull out the minerals. So, Mr. Speaker, as my colleague said, we support this amendment to this piece of legislation. We think it is a good bill and we hope that it is an adequate bill in the sense that it monitors every project that is ongoing that could in some way if not monitored properly and closely result in defacing the landscape, depending on what the project is, of course. I am sure it refers to oil spills and so on as well as to what my colleague referred to and not only to mines but to other industries that we find around our Province. So we support this piece of legislation, Mr. Speaker.

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

The hon. Minister of the Environment.

MR. ANDREWS:

Thank you, Mr. Speaker.

I will certainly take under consideration the wise words from the other side of the House. I would like to point out that many of the things they are talking about we are now doing, not necessarily by law but with the co-operation of the companies and the institutions concerned. I would like to talk a little bit about monitoring, because I think it is monitoring that we are really concerned about - well, there are two major things, monitoring and rehabilitation. The major project in Newfoundland and Labrador where we have had good success with monitoring was the Upper Salmon hydro development; we had great success with Newfoundland and Labrador Hydro there. Take is the type of monitoring that has to continue after the fact, not only before, during and after. This is where you can have something start before, particularly in monitoring. Also, the spruce budworm spray programme, where we have contracted for the past two years now Memorial University and their scientific people there to do the monitoring, we have an excellent monitoring programme there, probably better than anyone in North America. I know certainly better than the province of New Brunswick, where they just go around and measure as they spray. We have control blocks throughout Newfoundland, some that we spray every year, some that we do not spray and a lot that we monitor every year. We are getting a very good handle on the effect of the spray programme on wildlife, on flora and fauna and on fish and so on, and at this point in time, even though all the scientific evidence is not in, it appears to be that the spruce budworm spray programme has had little or no effect on animal, bird life.

MR. ANDREWS: and fish life in the areas that have been sprayed although once again, we want to continue this monitoring programme over an extended period of time. I am not saying that we will necessarily do it every year, but we might end up doing it after a little while every second or third year to get the long-term effect. This assessment act is only three years old and this is the first amendment to it. As I say, the things that we require now under law we are getting great satisfaction with under the proponents of various projects in the Province right now. So, Mr. Speaker, I move the second reading.

On motion, a bill, "An Act Amend The Environmental Assessment Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 73)

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



COMMITTEE OF THE WHOLE:

MR. CHAIRMAN (Aylward):

Order, please!

A bill, "An Act To Consolidate The Law Relating To Compensation To Workers For Injuries Suffered In The Course Of Their Employment".

(Bill No. 80)

MR. CHAIRMAN:

The hon. the President

of the Council.

MR. MARSHALL:

If the hon. member opposite

would agree, there are no amendments that are necessary to this bill in Committee and I wonder if the hon. gentleman would consent to a motion that we pass clauses (1) to (118) rather than have them called individually? Agreed?

MR. CALLAN:

Yes, I will go along with that.

MR. MARSHALL:

Agreed.

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

A bill, "An Act To Amend

The Hospitals Act, 1971". (Bill No. 76)

Motion, that the Committee

report having passed the bill without amendment, carried.

A bill, An Act Respecting

The Registration Of Nursing Assistants". (Bill No. 75)

On motion, clauses (1)

through (9), carried.

MR. MARSHALL:

Mr. Chairman,

there is an amendment to clause (10). What we wish to do is sub-clause (1) of clause (10) of Bill 75 is repealed and the following substituted therefore.

"The Council shall appoint a Disciplinary Committee consisting of those members of the Council together with such other members as the Council may decide, but at least one member of the Committee shall be a registered nursing assistant."

December 7, 1983

Tape 3775

NM - 2

MR. MARSHALL:

Now, Mr. Chairman, this is for the purpose of giving the council the necessary disciplinary power which

MR. MARSHALL: is absolutely necessary in an association of this type in order to carry out the purposes of the act itself, and I move - actually, perhaps the Minister of Health (Mr. House) would like to move it because I introduced the bill. The Minister of Health moves this particular amendment, Mr. Chairman.

On motion, clause (10), as amended, carried.

Motion, that the Committee report having passed the bill with amendment, carried.

A bill, "An Act To Amend The Environmental Assessment Act." (Bill No. 73).

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

A bill, "An Act To Control And Regulate The Distribution And Use Of Pesticides." (Bill No. 72).

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

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

MR. SPEAKER (Russell): The hon. the member for Kilbride.

MR. AYLWARD: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report having passed Bill Nos. 72, 73, 76 and 80 without amendment and Bill No. 75 with amendment and ask leave to sit again.

On motion, report received and adopted, Bill Nos. 72, 73, 76 and 80, ordered read a third time on tomorrow.

Committee ordered to sit again on tomorrow.

On motion, amendment to Bill No. 75 read a first and second time, bill ordered read a third time on tomorrow.

On motion, the following bills were read a third time, ordered passed and their titles be as on the Order Paper:

A bill, "An Act To Amend The Local School Tax Act," (Bill No. 6).

A bill, "An Act To Amend The Education (Teacher Training) Act," (Bill No. 42).

A bill, "An Act Respecting The Conferring Of Titles And Degrees By Queen's College," (Bill No. 85).

A bill, "An Act Regulating The Granting Of Degrees And Respecting The Operation Of Universities And Other Degree-Granting Institutions In The Province," (Bill No. 68).

A bill, "An Act To Amend The Memorial University Act," (Bill No. 86).

A bill, "An Act To Amend The Department Of Education Act," (Bill No. 5).

On motion, a bill, "An Act To Amend The Leaseholds In St. John's Act", read a third time, ordered passed and its title be as on the Order Paper. (Bill No.11).

On motion, a bill, "An Act To Amend The Law Society Act, 1977", read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 34).

On motion, a bill, "An Act To Amend The Election Act (No. 2)", read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 71).

On motion, a bill, "An Act To Revise The Law Respecting Limited Partnership", read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 69).

Motion, second reading of a bill "Act To Amend The Liquor Control Act, 1973". (Bill No.58).

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

DR. COLLINS: Mr. Speaker, there are just two aspects to this act and in each case they more or less correct an anomaly in the act. At the present time, under The Liquor Control Act an individual cannot obtain a licence if he has been convicted under the Criminal Code in the previous three years. However, there is no provision in the act to permit the cancellation or suspension of a licence if there are convictions under the Criminal Code after the licence has been given. There are provisions whereby the licence can be suspended for other reasons, particularly where the Act itself is contravened, but not under the Criminal Code whereas, I say, in the first place the individual could not get a licence if he had a conviction under the Criminal Code.

DR. COLLINS:

So the first part 52. (1),

Clause (1), permits that cancellation or suspension be permissible in those circumstances.

The second part of the act, Mr. Speaker, has to do with drinking in vehicles. The motor vehicle as defined in the Highway Traffic Act is deemed to be a public place. And the act now prohibits the consumption of liquor in a public place, i.e., in a vehicle. However, in practice it is very, very difficult, in many cases impossible to prove consumption. So what this section does, Clause (2), it prohibits the possession of open liquor in a vehicle. If the liquor is in a bottle where it is sealed and so on and so forth, no problem. If the liquor is in a bottle and it is packed in personal baggage and that baggage is fastened and so on and so forth there is no problem. What it will do is prohibit the possession of an open bottle of liquor in the vehicle.

So those are the two sections of the act and I move second reading.

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

MR. ROBERTS: Thank you, Mr. Speaker.

My friend and colleague from Torngat Mountains (Mr. Warren) told me he wished to have a few words on this so if one of the pages would do me the honour to slip out and tell my colleague, who I believe is in our common room doing some phone calls, that the bill is coming up, I shall keep it going for a few minutes, Your Honour, until the gentleman from Torngat Mountains returns and he can say whatever he wishes to say.

The amendments are very straight forward, I think, and the minister has spoken to tell us what they are. I do not disagree with his presentation of what these amendments achieve and I do not disagree at any length with what they will, in fact, achieve. To take the second one first -

MR. CARTER: And the first one second.

MR. ROBERTS: Well, I will take the first one second I say to my friend from St. John's North (Mr. Carter), and I will take the second one first, as I said. That is really simply closing a loophole in the present statute. It is an offence to consume liquor in a public place. I am not sure why it should be an offence, but it is one and I guess it always has been and I suppose the moral climate of our Province is such that we should have it an offence, consuming liquor in a public place. A motor vehicle has been defined as a public place, again, I suspect, because some smart aleck lawyer was able to convince a judge, or more than one judge perhaps, that a motor vehicle was not a public place and that, therefore, consuming alcohol in a motor vehicle was not consuming in a public place and therefore no offence had been committed. So we got around that very simply in the House by defining a

MR. ROBERTS: public place as including a motor vehicle and I think that makes some sense. Certainly anybody who puts even the littlest thought to it will agree that alcohol and motor vehicles are a very, very dangerous combination. In fact, speaking personally, I would be prepared to - and I am one who has been known to take a drink, and I certainly drive a motor vehicle, and I am probably as guilty as any man or any woman in the House, maybe, of falling away from the line at times, but the penalties, in my view, the penalties for drunk driving and for mixing alcohol and driving are not nearly strict enough. The Government of Canada, we are told, will be introducing amendments to the Criminal Code shortly to toughen up even more the law on drunk driving and I think that is to be welcomed. For a similiar line of reasoning I welcome this amendment here, the one that is embodied in section 2.

Section 1, to take the first one second, is a little different. Here what we are doing is imposing a moral judgment and I do not know, quite candidly, whether I find it offensive or not. I certainly find indecency and obscenity offensive. As the minister I am sure realizes, the law here in Canada and in the United States and in England, and everywhere else it has been tried, has had nothing but difficulty in trying to grapple with what is indecency, nudity, obscenity or what have you. This whole bundle of offences which involve-offensive sexual behavior, I suppose, is a rubric that could be put over them all.

MR. CARTER: Nudel frontity.

MR. ROBERTS: Nudel frontity my friend from St. John's North (Mr. Carter) says. I have always understood the offense is not in the nudity per se, because most of us believe that the human body in all its vastly different forms is not offensive or indecent, but it is the conduct which





MR. ROBERTS:

to legislate. It is difficult for two reasons: It is difficult because people have widely varying views of what should be a crime and what should not.

MR. CARTER: What about people who have their bare legs hanging down?

MR. ROBERTS: The hon. gentleman, Mr. Speaker, should be grateful it is not a crime to be a barefaced anything because if so he would have been sentenced to life imprisonment many years ago, he is the most barefaced blank I know of. Mr. Speaker, if the hon. the gentleman from St. John's North (Mr. Carter) will do me the courtesy of not revealing that he is unable to appreciate a serious argument, if he would do the House the courtesy of not revealing his stupidity and ignorance everything would go along a lot faster. The hon. gentleman should let us simply assume he is stupid and not open his mouth and prove it, as he does from time to time.

But let me come back to the point, because the minister has addressed the matter seriously and I propose to do the same. I have difficulty in trying to come to an understanding of exactly what we are trying to achieve with the liquor control legislation. If we are trying to control or to regulate the consumption of liquor then it seems to me that we should not be saying that if a club owner is convicted of a sexual offence he should lose his licence. If we are saying that somebody who is convicted of a criminal offence should lose his licence to sell liquor - and that is a quantum jump - then I would simply say that this section here does not do that. This section before us, Section 1, which will add 52.1 to the Liquor Control Act, simply says that when convicted of one or more of a number of offences, "the Board may", thus a discretion in the board, "the Board may cancel or suspend the licence".

MR. ROBERTS:

Now, Mr. Speaker, I am not sure I understand the principle of this, and I am not sure the minister addressed the principle. He certainly did tell us fairly and squarely what the amendment achieves, but I am not sure he addressed the principle. Perhaps in his closing remarks, remarks to which he is entitled to make in closing the debate, he would address that issue. If we are saying that some licensee convicted of a criminal offense subsequent to getting his licence and the criminal offence is not related to alcohol, if we are saying that that person, corporate or - I think all liquor licences are private - corporate or private, as the case may be, should lose forever or for a while his right to sell alcohol legally, then that to me is a relatively straightforward proposition. If on the other hand we are saying that if somebody is convicted of a particular type of offence he loses forever or for a while his right to sell alcohol legally, then that to me is a different matter and I would be interested in knowing why we have singled out the sexual offences. Because it would appear - and these are not all of the sexual offences, I do not have a criminal code here and I do not pretend to have a very deep knowledge of the sexual offence sections of the code, but I would be interested in knowing why we have singled out this group of offences, three or four or five, whatever there may be spelled out here, as justifying vesting in the board the power to remove or to cancel a licence.

Mr. Speaker, I can see clearly in principle saying that certain types of conduct make a licensee unfit to continue to exercise the privileges - not the rights - the privileges conferred upon him under a licence. I would have thought, however, that these offences would include the more violent offences against the person, that they might

MR. ROBERTS: include sexual offenses if you want, but that they would include the more violent offences against the person or the offences of fraud and so forth, all related to the fitness of a person to carry on the business of selling alcohol legally.

MR. ROBERTS: What this section appears to do and, in fact, what it does do, is say that if a club owner is convicted of indecency or nudity or one of these things, then he pays not only the penalty imposed upon him under the Criminal Code but he is liable to pay an additional penalty. And the only rationale which occurs to me to justify that, and there may be others - I will gladly hear what the minister has to say, and whether I support the amendment or not will depend upon what the minister says because I am really quite open-minded on it - but to single out simply the sexual offences seems to me to require some rationale or some justification. It may be that some believe, and if so this is an honest belief - it may be a mistaken belief but it is an honest belief I accept - that a club owner who is guilty of breaching these particular sections is thereby rendered unfit. But I do not see why or how that can be distinguished in a degree of unfitness from a number of other offences. If a club owner, for example, either himself or by employing somebody else beats up a patron, assaults him and is then convicted of assault under the criminal code, it seems to me that in that situation the club owner should equally lose his licence. And as I understand the legislation as it now stands, that is not the case, that if he was convicted before getting a licence, now before getting a licence, he would not be able to get it. And there is a general power in the act which gives the board the ability to suspend a licence if at any time the licensee is unfit in the board's opinion to carry on. That is the board's general reserve power. But I ask the minister why these particular sections have been singled out for this treatment?

MR. ROBERTS: In particular, I wonder if this is the result of the Madonna - what was it? - the "Lady" Madonna case which arose here in St. John's some time ago. As I recall it, a young lady was displaying at least her breasts publicly without any covering in a night club, or a day club, or a club, whatever you want to call it, here in St. John's and a number of people took offence. I do not recall whether the young lady was ever charged under the Criminal Code with one of the offences and, if so, whether she was convicted or no. I do not know. I just do not know. And it did not particularly bother me. I never met that young lady - to my recollection or to my knowledge, and I have certainly never been in the club where she was displaying her talents, whatever they may have been. But I wonder if that is what has led to this section now? Because as I recall it there, at that time, there was some suggestion that the board should attempt to discipline the club owner and the board were advised they were unable to do so. And this may now be the legislative result. If so, perhaps the minister could tell us of that.

Now, I am open-minded. I am prepared to listen to what the minister says and I am prepared to be persuaded. I certainly do not find it at all difficult to accept the principle that a licensee can be guilty of a type of conduct which renders him unfit to continue to exercise the privileges conferred upon him by his licence and that he then ought to be disciplined by having his licence suspended for a period, or cancelled indefinitely. That does not bother me. I do not know whether the minister intends that if a licence is cancelled the board may then restore it at a later stage. You know, I am not sure how they come to grips with that. But I do question why we have singled out only these offences. It seems to me that if we are to implement the unfitness principle

MR. ROBERTS: there are many acts or omissions which would render a person unfit beside those, or in addition to those, or instead of, as the case may be, those enumerated in this section.

So with those remarks I will say that I think the second section of this bill commends itself and ought to be adopted without any hesitation. The first section, I would like to know why the ministry have brought it in. The minister told us quite capably, no doubt well briefed and certainly reproduced it accurately, what the section achieves. But he did not tell us why it achieved it, he did not tell us why the ministry feel that this principle ought to be written into our law. So that -

MR. CARTER:

Sit down.

MR. ROBERTS:

I am sorry?

MR. CARTER:

Sit down.

MR. ROBERTS: Mr. Speaker, I thank the hon. member for St. John's North (Mr. Carter). His contribution which consisted of the words 'Sit down' was more intelligent as well as more intelligible than most of his contributions. He is obviously getting better. "While the light holds out to burn," I say to him, "the vilest sinner may return."

MR. WARREN: He is the sleeper.

MR. ROBERTS: I say to my friend for Torngat Mountains (Mr. Warren) you cannot tell if the hon. gentleman for St. John's North is asleep or not. He is somnolent at all times, he is asleep only at some of them.

But, Mr. Speaker, the second section of the bill - as I said, I have no trouble at all in supporting the first section - I think the minister has to make the case. I have no doubt that there is a case to be made, I would like to hear him make it. Then, when we have had a chance to judge on it, well then, Sir, I will be able to determine whether I should vote for or against second reading of this bill. Thank you very much, Sir.

MR. SPEAKER (Dr. McNicholas): The hon. the member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I am pleased to say a few words about this bill. In particular, I am quite pleased that my hon. colleague for the Strait of Belle Isle (Mr. Roberts) came to my rescue earlier, because I am sure he can give it more legal input than I could.

However, on the second clause, Mr. Speaker, I would like to ask a question of the minister and probably the minister can respond when he closes the debate. It says in Section 84.1, 'No person shall drive



MR. WARREN: or have the care or control of a motor vehicle as defined in the Highway Traffic Act, whether it is in motion or not, while there is contained therein any alcoholic liquor, except alcoholic liquor in a bottle or a package that is unopened and the seal unbroken.' Now, I think this is fantastic, I think it is right on for the minister.

AN HON. MEMBER: That is the law now.

MR. WARREN: That is exactly what I am going to ask the minister. I understood that this was presently the law. Is this not the law now? Because I know of people who have been charged, the police have taken them and have arrested them. I remember two young fellows who not too long ago were parked about 150 feet off the main highway sitting in their vehicle, and there was a case of beer in the back of the truck. Two bottles of this beer had been consumed, and the empty bottles were in the back of the truck when the police came and arrested both of them. They could not even prove that the guys were drinking while they were in the truck, but the police arrested them because the beer case was open. I might suggest that maybe the police were being a little bit hasty, if this is a new regulation that the minister is bringing in. If this is a new regulation, it is already in effect. I can name a dozen cases where people were found with beer cases open, where two or three bottles had been drank. I do not know whether they were drank in the vehicle or not. I believe, if the amendment is necessary, surely goodness the minister should undertake through the Minister of Justice (Mr. Ottenheimer) to just go back over last year, just one year, I would not suggest that he go back over the last twenty-five years,

MR. WARREN: because that is more than the minister can do, but surely goodness the minister can get the Minister of Justice to go back over the last year to see how many people operating vehicles, you can narrow it down very easily, how many people have been charged with possession of alcohol while in a vehicle.

And it says here "No person shall drive or have the care or control of a motor vehicle." Now the definition of care or control of a motor vehicle, Mr. Speaker, I presume, whether the vehicle is stopped or in motion it means care or control. If the vehicle is stopped I guess he is even caring for it.

I would just like for the minister to verify this. And if this be the case, I would suggest that our police force, if this

MR. WARREN:

act is not in place at the present time - maybe it is - I would suggest that members of our police force need a little knock on the knuckles if this be the case. And I hope that the minister - that is my only concern - I hope that the minister will be able to confirm in his comments on the bill whether the police now have the ultimate regulations, or have the ultimate power to arrest people. Do you have the answer to that? Are you satisfied with the answer?

MR. RIDEOUT: Yes, totally satisfied.

MR. WARREN: I hope the minister will kindly give me the answer, because at the present time I am just as confused as the hon. member for Baie Verte (Mr. Rideout) was. So with those few remarks I hope that the minister can unconfuse the confusion.

MR. SPEAKER (Dr. McNicholas): If the hon. minister speaks now he closes the debate.

The hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, I will follow the example of the hon. member for the Strait of Belle Isle (Mr. Roberts) and go from back to front, that is the second item first. The present Act prohibits the consumption in a public place and, as I say, the amendment here defines a motor vehicle as defined in the Highway Traffic Act. A car is a public place.

MR. WARREN: A car is private.

DR. COLLINS: No, it is defined as a public place, under the Liquor Control Act. A car is defined as a public place for the purpose of that Act.

DR. COLLINS: However, the wording in there, just to cover this point as defined in the Highway Traffic Act, because the Highway Traffic Act excludes a trailer, and there was no intention under this Act to prevent someone in a trailer sitting there drinking a bottle of beer, for instance. Because that is not defined as a vehicle under the Highway Traffic Act. That is perfectly alright, there is no change there.

MR. WARREN: No, there is no change there.

DR. COLLINS: But the Act prohibits consumption and I think the hon. member was worried that people were now being charged on the basis of opened bottles of beer or whatever. Well, they might well be. But, then, when it gets to court, unless it can be proved that there was consumption, the court would not act in that case. And it is very difficult to prove consumption. The only way you can prove consumption is if at the time the officer of the law is actually arresting the person he is consuming at that time, or perhaps if he were taken to an hospital and they pumped out his stomach and it was found to contain alcohol, that type of thing. But those are very unusual things. So the courts have great difficulties in handling the intent of the Act with that word 'consumption' in it. So the amendment now is to make it an offence to have possession, in the car, of open liquor. Now, it is liquor, it is not an open bottle, because if you have an open bottle and there is no liquor in it, that is not liquor. So if you are coming back from your cabin and you have some empty bottles in the car, because you drank those up in your cabin and you are just bringing them back to

DR. COLLINS: turn them in or whatever, you cannot be charged in that way.

MR. WARREN: What about, if an officer stops a guy who has a case of beer opened in his car but by the time the red light comes on there are two bottles missing, the two bottles have been thrown out through the window somewhere.

DR. COLLINS: If the bottles were empty I think most officers would not take say, two or three drops in the bottom of a bottle, because, now, those were left there inadvertently, that is alcohol. But I would point out that the Act says, 'while there is contained therein, any alcoholic liquor'. So if you have empty bottles, even though they previously had liquor in them, that is not covered by this Act, that is not an offence. It really covers the situation where someone is actually in a car in motion or otherwise, where he has actual liquor, in a bottle, or in a glass, in a cup or whatever.

MR. WARREN: So our police are overstepping their bounds.

DR. COLLINS: Well, not in terms of, perhaps, arresting, but because they may say, 'To the best of my knowledge the consumption has gone on'. But then, when you get into court,

DR. COLLINS: will the court accept under the present act just the defining of an empty bottle as meaning consumption?

MR. WARREN: Yes, they will be arresting people just because they found some empty bottles.

DR. COLLINS: Yes. But I suspect that many of these people who were arrested were not convicted by the courts for the very reason that we are bringing in this amendment.

Now, on the first item there, the hon. the member for the Strait of Belle Isle (Mr. Roberts) is not there now, but at least one way of interpreting his suggestion was that the present amendment is too narrow. At the present time we will not grant a license where a person is convicted under the Criminal Code in the previous three years of certain offenses. And he was saying, 'Well, why not have those same offenses transferred into this amendment whereby if the person had a license but he was subsequently convicted, then the license is withheld from him'. Well, all I can say to that is that we have attempted to keep this as narrow as possible. There have been complaints and other discussions about these particular offenses under Sections 163, 169 and 170 of the Criminal Code, the sections that deal with indecency and nudity and that type of thing. But there have not been complaints to my knowledge, anyway it has not been brought to my attention, about the sorts of things the hon. member mentioned, such as a lounge owner beating up a client and so on and so forth. If those complaints had come forward perhaps we would have brought in a somewhat broader provision, but we wanted to keep it as narrow as possible, covering the particular complaints

DR. COLLINS:

which seem to be legitimate, which seem to be complaints that were based on the acceptance or the level of acceptance of our society for these sorts of things. So this is why the amendment was brought in in that particular way.

So with those words

I move second reading.

On motion, a bill, "An Act To Amend The Liquor Control Act, 1973", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 58)

Motion, second reading of a bill, "An Act To Amend The Income Tax Act". (Bill No. 55)

MR. SPEAKER (AYLWARD):

The hon. Minister of Finance.

DR. COLLINS:

Mr. Speaker, I will only say a few words on this. If there are questions about it I will certainly be glad to expand later on. But essentially this bill is to amend the Income Tax Act to make sure it conforms with the recent changes in the federal Tax Act. The federal Income Tax Act is changed every so often and our act really has to mirror that because the federal government collects our taxes under a tax agreement, and this is just to fit into conformity with the federal Tax Act. So, I move second reading.

On motion, a bill, "An Act To Amend The Income Tax Act", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 55)

Motion, second reading of a bill, "An Act To Amend The Gasoline Tax Act, 1978 (No. 2)." (Bill No. 84).

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

DR. COLLINS: Mr. Speaker, the explanatory notes to this act really, I think, give the essence of the amendments. But perhaps I could very quickly -

MR. CALLAN: Essence, it is a French word, essence.

DR. COLLINS: Essence, right, essence. I could go down through them. The first one is just to clarify the issuing of a license. It just allows the license to be given before the end of the year which will apply to the next year. The particular wording of the act now says, strictly speaking, that you cannot give a license, let us say, a few days before the end of the year even though the license is coming into effect, you know, in two days time. So that is just to correct that point.

The second one says that a person to rebrand products must be in possession of a wholesaler license. Only wholesalers are allowed



DR. COLLINS:

to rebrand products and so it is logical that they should have a wholesaler's licence. That is all that one is. Many of these are of a housekeeping nature, Mr. Speaker. The next one is to allow the minister to provide information to collectors. This is at the request of the companies. They have an association in the Atlantic area where it is useful for them as a group to have this association keep track of what gasoline is consumed in the whole area. At the present time the minister has no authority to pass out such information, but, as the companies said it is in their best interest that it be passed out, we are acceding to their request and that is what that amendment is.

The next one is to allow the minister to enter into agreement with any person appointing him an agent for the purpose of the tax and this is merely to give flexibility in unusual circumstances. There are sometimes unusual circumstances where the actual wholesaler cannot be made the agent but this will allow any suitable person to become an agent.

Clause 5 is to allow the tax on gasoline in some cases to be made directly to the minister rather than through the collector, and this is where there is a change in the taxation on gasoline. . . . Sometimes the gasoline in the grounds, the tax has been paid on it through the collector at one rate then there is a change in the tax rate and to permit, then, the retailer to sell the gasoline at the new rate - and if he kept the tax of course that would be incorrect - but allows him to sell the gas at the new rate and then remit directly the extra tax on it.

Clause 6, a minimum fine where marked gas is used. In the act now there is a maximum fine but this is a minimum fine. The minimum fine is \$100, which

DR. COLLINS: is equivalent to the tax on five drums of gasoline, and that is considered to be a reasonable minimum fine because individuals who are caught in this sort of act are individuals who sell at least five drums and usually many more drums.

Clause 7, this will empower an inspector to take a sample of the gasoline when it is suspected that marked gasoline is being sold improperly.

Clause 8 would provide for regulations requiring the bonding of any person who collects tax under the act and that is related to the amendment that we referred to above where any person may be made an agent. It is just to cover that.

Clause 9 permits licence holder to be defined as a person entitled to acquire marked gasoline. That again is a housekeeping amendment.

DR. COLLINS: Number 10, any of that gasoline that the licensee cannot account for will be deemed to be consumed by him and he would be liable to pay tax on it. In other words, Mr. Speaker, an individual who is licensed to sell marked gasoline has to account for it. If there is a difference between what he has records for and the actual marked gasoline that he purchased, well, he is responsible for that difference and it is presumed that he consumed it himself or that he sold it without keeping a record or whatever.

Number 11, this would clarify that no interest is able to be charged under the act for the month in which tax is received. In other words, Mr. Speaker, we require the tax to be rendered by the 20th of the following month. In other words, if we receive the tax by the 20th of the month, the vendor is following the act. Now the act is unfair as to whether he should pay interest during that month even though he is following the act. And this will clarify that he does not have to pay interest.

Number 12 and 13 are just housekeeping and Number 14 is to indicate that a lock may be a seal, Again, it is housekeeping.

With those explanations I move second reading.

MR. SPEAKER (Aylward): The hon. member for Eagle River.

MR. HISCOCK: Thank you, Mr. Speaker.

We find the government has to bring in legislation like this and the main reason why it is bringing it in is it is even counting pennies, They are making sure that they are closing all the loopholes in the gasoline tax, which is one of the most lucrative forms of taxation in this Province. I think it is agreed all across party lines in this Province that if there is one thing that we have to pay too much for in our Province it is gasoline. Our Province, being such a large area,

MR. HISCOCK: our business people find that the tax is too high, especially with regard to trucking, and a lot of things are brought into the Province. Going around this Summer with the Food Prices Committee, this is one of the things that came up periodically. Having to transport food from St. John's to the Burin Peninsula, the Bonavista Peninsula or up the Northern Peninsula we found had an effect on the cost. How much was not particularly of any great significance as such, but it is an important thing that we find in our Province that we are over taxed with regard to gasoline.

I have told the Minister of Finance (Dr. Collins) before about the differences in prices here in St. John's compared to other areas. I would ask the Minister of Finance, when he is replying, if he could say why different regions are marked by the companies in this Province, that if you are in one region you have to pay a certain amount for gasoline at a gas station, whereas if you are in another region you pay a different amount. A lot of this, I would assume, has to do with transshipment of the product itself into those areas. But in St. Anthony you have one price, in St. Barbe you have one price and then, going across on the Labrador side, you have a phenomenal increase. On the Quebec side, which is supplied by the same tanker, gasoline there is 51 cents a litre. Travelling the Labrador side, you will find out it is 63 cents. A lot of this, of course, has to do with the indexing; a lot of people in the Province do not realize that we have indexing when it comes to gasoline tax. Every time the oil companies increase the price tax, every time the federal government increases its tax, ours automatically goes up in proportion through the indexing.

MR. BAIRD: When are they going down?

December 7, 1983

Tape No. 3785

JV - 3

MR. HISCOCK;

Well, we know in this life,  
Mr. Speaker, when it comes to taxation very rarely does  
anything go down.

MR. HISCOCK: The same way with hydro rates, they continue to go up. We have not heard them having to go down. But we find, Mr. Speaker, as the Minister of Education (Ms Verge) said, we are pinched for money and we put our children in jeopardy on the highways in the school buses because we do not have enough money to have the proper standards on our buses, and we find out that seventy-two students are travelling on a bus, a lot of them having to stand up as a result of bringing their sports equipment, bringing the music equipment, bringing typewriters, etc. And even without this equipment, I think it is ludicrous and it is insane to have a regulation where seventy-two people are considered safe to travel on one bus.

I was talking earlier today to a contractor who has several buses, and he even admitted himself that it was completely unsafe to end up having children travel seventy-two on a bus. Yet here we find the Minister of Education saying that we cannot afford to bring in the standards that are necessary in order to look after the safety of our children. The Minister of Education checked and said that there was about \$12 million being spent on busing in the Province. If she also had to check back to find out how much tax comes in by the way of these buses and by the way of taxes on our transport trucks and other private vehicles we would find out there is a lot more than \$12 million. I think with regard to gasoline and with regard to liquor and taxes on cigarettes, probably the three main sources of direct taxation that we get from our people, and equalization and income tax and our mining tax, we end up getting a phenomenal amount. Maybe the minister could say when he gets up how much do we receive in this Province as a result of the gasoline

MR. HISCOCK: tax, and number two,  
how much is our tax index, what percentage of the price.

Another part that I would hope the minister would address is with regard to the gasoline tax on the border of Quebec and Labrador and in the Straits area as well as in Labrador City, and you have Fermont and Labrador City and Wabush. You would find out many people go to these areas of Quebec to buy gasoline at fifty-one cents a liter. We are losing a lot of revenue. Not only that, but we are also losing jobs. And we find out in these areas that it is hard enough for small businessmen make ends meet, but when they have to compete with the price of cigarettes - I think that are something like fifteen dollars in the difference - the end result is we find people who are going to Quebec to buy their food, to buy their gasoline, to buy their cigarettes. There last year the Minister of Finance (Dr. Collins) had auditors go into Quebec and find out that people on the Labrador side bought skidoos in Quebec and then had to go and pay again in a sales tax on these vehicles. As I said, one would never believe that the department itself would stoop so low as to have to send in inspectors and make people pay for products that they bought in another Province.

In the meantime he is not addressing the problem, that the reason why they are going into Quebec to buy these products in the first place is because of the high taxation that we have. The people in that area of the Province realize that they have to pay taxes but they

MR. HISCOCK: also realize that they have to compete with another province. Maybe the minister could look at that problem and bring the taxation in line with Quebec or have it one percentage higher than the sales tax in Quebec, which is probably 9 per cent.

I also realize that he would say, well, you cannot treat one area of the Province any different than St. John's or Happy Valley/Goose Bay, Labrador. But yet if the minister looks at the electricity rate in this Province, there is one rate for the Island part, there is another rate for Happy Valley/Goose Bay, there is another rate for Labrador City and Wabush, and there is yet another rate for all those places that are on diesel. So we have precedents in our Province where things are not uniform. I would hope that the minister will address this problem. With regard to this act, we find here he is closing loopholes to make sure that the Province is getting its rightful share. Clause (11) says that no interest would be charged on the month in which the tax is received. Again, to go back to rural areas of our Province and particularly Labrador, we find out this time in the year you cannot get into Norman Bay, you cannot get into Charlottetown, you cannot get into William's Harbour, you cannot get into Black Tickle since all those areas are now freezing up, and as a result mail is disrupted well beyond a period of three weeks and it is quite possible that, due to no fault of their own there, mail coming in from rural remote areas can end up taking more than ten days in order to get here. In actual fact, I think the member for Torngat Mountains (Mr. Warren) will agree with me, it would be rather surprising if mail got in here within ten days of being posted.

So the legislation itself is a piece of legislation - as I said, the Province needs



MR. HISCOCK: all of the pennies it can get - that basically plugs holes which we found out needed to be plugged. But, as I said, in the meantime that is one area that we are 'overtaxed in. We find out, Mr. Speaker, with the tourist industry -

MR. SPEAKER (Aylward): Order, please!

I wonder could I interrupt the hon. member for one minute?

MR. HISCOCK: Surely.

MR. SPEAKER: It gives me great personal pleasure, being a former Akela, to welcome to our galleries the First Vanier A Cub Pack and its leaders. I know Mr. Noseworthy, but I do not know the others.

SOME HON. MEMBERS: Hear, hear!

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

MR. HISCOCK: Thank you, Mr. Speaker. I also, and members on this side, welcome the cub pack from Vanier Elementary.

To go back to the bill, Mr. Speaker, we find that comparing the Nova Scotia tourist industry with ours, they have about 3,000 tour buses and tours coming into that province per year. And we are only getting 10 per cent of that tourist industry coming into this Province. I was rather a little bit surprised that the Minister of Development (Mr. Windsor) this year, with out 400th. Anniversary and all the publicity that it got as a result of the Prince and Princess of Wales being here, all of the publicity of the minister's going to Chicago, Boston, New York and having the caravan go across Canada, having all this money spent on ads, even in Time Magazine, that

MR. HISCOCK: in actual fact the tourist industry, Mr. Speaker - and this is rather surprising considering the 400th. Anniversary and all the money that was spent - the tourist industry in actual fact was down in this Province with regard to tour buses. One would assume it would be up. The family cars and individual family units coming to this Province was up but only up moderately. And one would assume that after 400 years with the tourist industry and all the input that we had you would have more. And why were the rates down with regard to the tour bus industry? I would say, Mr. speaker, that one of the main reasons why it was is the expense of coming across the Gulf, number one; the expense once you get here with the high cost of gasoline; then when they stay in a hotel there is a tax on their hotel bill, and when they go to their meal, there is a tax on their meal. So it is like the Liquor Commission, which ended up saying, "We are at a point of diminishing returns in our Province because of over taxation", and also we are at the point of diminishing returns on the tourist industry.

I think the Minister of Development (Mr. Windsor) would do a service to this House and to the Province by lowering, for the Summer periods in particular, the tax on the hotel rooms, lower the tax on gasoline for tour bus operators, and making other exemptions. What we would lose on one hand, Mr. Speaker, by lowering this taxation, we would gain in another way by having people employed in the hotel industry, having people employed in the crafts industry, having people employed in the food industry, and we would have employment directly in that way. We should give incentives.

We found out, I believe several years ago if I am correct, the federal government reduced the

MR. HISCOCK: the sales tax so did the other provinces. We found out here in our Province the tax was reduced for awhile, a three month period I believe, and after that we ended up raising it another percentage point. But I do think that this government should look at that possibility and I think it is a reasonable one. One could say, 'Okay, how much are we actually going to lose?' But I think there is nothing wrong with trying to entice tourists here by reducing some of these taxes in the Summer months because we know ourselves, and the Minister of Culture, Recreation and Youth (Mr. Simms) and the Minister of Development (Mr. Windsor) can confirm this, that after the Labour Day weekend all the parks are closed, all the museums are closed throughout the Province except the ones in larger areas, particularly St. John's, and I think that the government should look at the possibility of giving a reduction in taxes on gasoline, on food, on hotels, as I said, for tourists entering the Province. One would have problems obviously, in finding out which individuals should be exempted, but I say, Mr. Speaker, it could be done by exemption of tour buses coming into the Province and other tour buses operating here.

The amendment, as I said, was brought in to plug loopholes because of the amount of money that we are losing. I would also ask the minister when he gets up if he could inform us as to how much money is outstanding with regard to the gasoline tax. How much is outstanding, and what is the possibility, in actual fact, of recovering this? We know that there are businesses, with regard to the Retail Sales Tax, going under, but once they go under all they have to do to get

December 7, 1983

Tape No. 3788

NM - 3

MR. HISCOCK: back in business is apply  
to the Provincial Government for a new licence in a new company  
name. The Auditor General has pointed out the case of a company  
which twice did this and the Province ended up

MR. HISCOCK:

being out, I think, several thousands of dollars.

Is this a problem with the gasoline tax itself? Do we find out that there are trucking companies that are going out of business, that are closing? And is the government owed any outstanding money with regard to gasoline?

I wanted to comment only very briefly on it and say that one would be rather surprised, the fishermen all around the Island, to find there is a minimum fine of \$100 on unmarked gas.

I would put the idea also that the minister could look at, in rural areas, particularly islands like St. Brendan's, Fogo, Ramea and Coastal Labrador, where Ski-doo's are used as part of their life, and as many members on their -

MR. BAIRD: Why are you talking about islands?

MR. HISCOCK: Well, the reason why I am mentioning islands in particular -

MR. BAIRD: Are the roads paved in Ramea?

MR. HISCOCK: The road is paved in Ramea and will probably be kept open. But, with regard to rural areas, Mr. Speaker, we learn that a lot of our rural people are using Ski-doo's to get wood and water, to distribute mail between communities, to transport private freight from one community to another. Ski-doo's are not used for recreation as they are here in St. John's or in Gander or Grand Falls by Ski-doo clubs. Perhaps the Minister of Finance (Dr. Collins) could look at the possibility of eliminating tax on gasoline used for the former purposes.

MR. HISCOCK: It is even more frustrating when roads are not kept open thus depriving the people of much benefit. Also, in most cases, the provincial Department of Transportation does not operate on these roads any. On that subject, I wrote the Minister of Transportation (Mr. Dawe) just the other day, and I hope his department will act upon my suggestion, in that, with respect to the Northern areas, as well as the rest of this Province, if two communities are interconnected, it is the responsibility of the Department of Transportation to keep open these roads in Winter and in Summer and do repairs, when necessary, at the cost of the taxpayers of this Province.

But in areas like Coastal Labrador, where communities are separated by water, and the Premier himself said in this House that the best highway system we have in the Province is our waterways, yet we have places in Coastal Labrador where the residents themselves have to maintain their roads, areas with a population of only from 200 to 300 or 350 people, and it is impossible to maintain these roads. The provincial government has just increased the allowance, I think it is \$10 per head. The Minister of Municipal Affairs (Mrs. Newhook) has refused some of the smaller communities who wanted to become incorporated and set up a council. They were told they could not set up a council, they would instead have to become a local service district. And, of course, the difference there is if they have a council, they get, I believe, \$2,000 per kilometer of road, whereas under the local service district they only get \$10 per head and then road maintenance is the responsibility of the local road board. So I would ask the Minister of Transportation, and the Minister of Municipal Affairs, to whom I have sent a copy of my letter, to look at the

December 7, 1983

Tape 3789

EC - 3

MR. HISCOCK: possibility of having pieces  
of equipment stationed on the Labrador Straits or in  
St. Anthony, have a grader, a front end loader, and a  
dump truck, and, when

MR. HISCOCK: the shipping season starts go and do the road from Lodge Bay to Mary's Harbour, move on to the next community, St. Lewis, and do that road and then go on to Port Hope Simpson, then go on to Williams Harbour, then go on to Black Tickle and do the necessary ones, And also, probably, the Northern part of Torngat Mountains. Why is it that the people in these areas are discriminated against because they are separated by water? Yet when they want to go and have a council so they can get the \$2,000 per kilometer road grant, because some of these communities, Port Hope Simpson, I believe, has almost eight kilometers of road, permission is refused and they are told to form local service districts instead.

I was very pleased when I first got elected that the Department of Transportation and the Department of Municipal Affairs went into Cartwright on a co-operative basis and said, 'Okay, we are building the airstrip, we are doing the water and sewerage, let us do the road at the same time. Then, once we do it, the community council has something to work with'. I know larger areas, like Conception Bay South, before they would accept Seal Cove or before they would accept other areas into their municipal boundaries, the mayor of the town told the minister and the department, 'We will accept responsibility for those areas if you pave the roads'. But in rural areas, and particularly in Labrador, what you end up having is that the road is built and they say, 'Okay, here is the road, now look after it'. I will give an example. In St. Lewis, the Department of Transportation went in and built the road. Twelve houses were not connected, because of an internal



MR. HISCOCK: community dispute, and are still not connected. Contact the Department of Transportation and you are told it is the responsibility of Municipal Affairs. Contact Municipal Affairs and you are told it is the responsibility of Transportation.

Then you have another example in Charlottetown. When the Department of Transportation went to build the road in there they found they did not connect the schools, they did not connect the community council and they did not even put a road to the dump. They had to fight tooth and nail until finally that was changed. In other areas, when they were building the roads in the community of Cartwright and all along the coast, when you come to a house the road goes on past it and there might be a drop maybe of ten, five, six, seven feet, depending on it. What did the Department of Transportation say? "Well, you have to look after your own private driveways." Which is true, everybody has to look after them, but at least they had tapering off, but we had to fight tooth and nail in order for that to be done.

So in rural areas, in particular in Charlottetown, as I said, the Department of Municipal Affairs told them under the new community plans they had to build in a certain area. They had no other choice. Crown Lands said the same. The Department of Health said the same. The Department of Environment said the same. Here was the Department of Transportation moving in to build the road, and what happened? This new sub-division where they were told to build, and basically it is up in the woods, far beyond the reach of the local road, and here are about eight or ten houses - and they are still building there because they have no

MR. HISCOCK: other choice but to build there - and the Department of Transportation said, 'It is not our responsibility, it is Municipal Affairs'. Did Municipal Affairs say, 'Okay, here is \$50,000 and use this now that the equipment is in there'? No. So I find, Mr. Speaker, at times we are not having enough co-operation between the departments. I remember bringing this issue up with the officials of Municipal Affairs - and I hope the minister is listening because I have written her about this matter in the past two or three days - that since they are building airstrips at Charlottetown, Black Tickle, Paradise River, and Port Hope Simpson - Port Hope Simpson is being this

MR. HISCOCK: year and the other three will be built next year - why cannot the Department of Municipal Affairs, while the equipment is in there, give them a grant as they do for larger communities and get the local roads paved? It is beyond comprehension that these small communities could ever afford to have these roads paved. Why cannot the Minister of Transportation (Mr. Dawe) and the Minister of Municipal Affairs (Mrs. Newhook) say, 'Okay, we got construction equipment going in, we have crushers going into that area, why do we not crush now enough stone to look after Port Hope Simpson? Port Hope Simpson has made a request for crushed stone to do up their roads. And this is one community, Mr. Speaker, when we look at the ingenuity of our people in this Province, that is one community that has not received one bit of help by way of road construction but built themselves, with their own equipment, through Canada Works, using wooden culverts, eight kilometers of road. Of course, all they have had to use is local material, which is not up to standard, so, come each Spring, your vehicles, mainly trucks, are up to the axles in mud. One would assume now, with construction equipment going in and blasting and crushing, that a request for \$300,000 worth of crushed stone to do the roads is a reasonable request. But they are told by the Department of Municipal Affairs, 'Okay, we will fund it on the sixty/forty formula.'

But we also know, Mr. Speaker, that, while you can apply under this sixty/forty programme, that does not necessarily mean that you are going to be accepted. I think the minister, at some date, will admit that maybe 50 per cent of those apply for these grants -

MRS. NEWHOOK:

Not that.

MR. HISCOCK: Not even that.

MRS. NEWHOOK: About 90 per cent of the people who apply, these councils who apply, they do get what they apply for and it is all sixty-forty.

MR. HISCOCK: Yes. So the minister says it is 90 per cent. I commend the minister if this is the case. I know this was not the case a couple of years ago, that what we found was that larger areas - Gander, Corner Brook, St. John's and various others, were taking a larger percentage of this, and smaller areas were not. Port Hope Simpson, I am again rather pleased to announce, was the first place on the Labrador Coast that made use of this. They saved up some of their money, and the people in Port Hope Simpson got on their backs, saying, 'You should do something with the road'. But they kept this money and ended up then applying the following year and getting \$50,000. But these wooden culverts now are rotten. These wooden culverts, Mr. Speaker, are now rotten, need replacing and the community does not want to enter into a loan and have to borrow \$300,000. It is not in their nature. Yet I also realize, and we as taxpayers in this Province realize that everybody cannot get

MR. HISCOCK: everything for nothing, that, you know, each individual has to bear the responsibility somewhere along the line. But I do think that this government and this administration has the responsibility to make sure that the taxpayers' money is spent very wisely. And looking at the expenses under the Department of Public Works, whose minister (Mr. Young) ended up giving me a copy of a Ministerial Statement which he never made - I assume the press have copies of it and they will report that there was a Ministerial Statement, but why he did not get up and announce it or read it is beyond me. And the only reason, I would assume, is that he did not want the Opposition to react to it - but in that is \$50,000 to spend on the School for the Deaf. And here we are talking about getting a new School for the Deaf. I realize that it is fire equipment and x number of other things that need to be done, but it only goes to point out again the redundancy, that here we will spend that money and maybe in a year end up moving the School for the Deaf. So I would assume by spending this \$50,000 it is a sure sign to the School for the Deaf that they are not going to get a new school, that they are going to have the piecemeal approach and that they will have to wait for another two or three years. They have been waiting several years now.

The government and the media and the people of the Province say periodically that the Opposition is too negative, it is too negative in its approach and cannot see anything good that the government is doing. And I try periodically not only oppose but to make useful suggestions to this government, and I do not care who gets the credit for it. But I would say that I think that the minister has a responsibility to the residents of Southern and Eastern Labrador that, now

MR. HISCOCK:                   that construction equipment is going in for these airstrips, I think some of the problems with regard to road construction, particularly in Charlottetown where they were told to build, that problem should be corrected next year and money should be put in our budget to make sure that it is. I do not know if she will enter into new DREE agreements, which I believe are supposed to come up in February, or whether rural areas like Labrador, that need these roads upgraded, will be included.

I hope, as I said, that the Minister of Transportation will also take into account that here we have communities that cannot look after road maintenance. The question I have to ask, and I am sure the Minister of Municipal Affairs (Mrs. Newhook) is asking the same question, is how can communities like Mary's Harbour, Lodge Bay, St. Lewis and others, which have basically just a little over 300 people each, how are each of those councils supposed to be able to afford a front end loader, a tractor, a dump truck etc.?

MR. HISCOCK: I would assume it is logical that we take a regional approach, and we hear the Minister of Health (Mr. House) and we hear the Minister of Municipal Affairs (Mrs. Newhook) saying they want a more regional approach. Here is a perfect example where we can co-operate and maybe instead of this \$2,000 per kilometer going directly to the councils, some of this money then could go to the Department of Transportation for equipment, I think it is a sound idea. I think it is the only way that the government is going to be able to stop criticism and bring up basic services in that area and end some part of the isolation.

I remember only last week phoning down to St. Lewis, and I ended up saying to the man I was talking to, "How is the weather? What are you doing?" And he said, "We just went for a drive around the community". A lot of people do not realize that a drive around a community, even if it is only two miles, is still a drive around a community. We, in larger urban areas, go for a Sunday drive and break up the afternoon. People there do the same thing, go for a small drive around the community or in to a pond and do some berry picking, so it is much better for them to have basic services and not just potholes. These small places cannot afford, as I said, Mr. Speaker, this larger equipment. Yet here is what the government expects of them, "Here is the road now look after it".

I am sure that the member for Placentia (Mr. Patterson) would agree with me, that in rural areas we need to take a more regional approach and at times we need more co-operation. We need to see various departments moving into an area. We have seen time and time again the idea that the Department of Transportation goes in, builds a road and then the Department of Municipal Affairs goes in and installs water and sewerage. I am not taking the credit

MR. HISCOCK: for it, but I brought that to their attention, before the Coastal Labrador DREE Agreement, that we were going to be doing water and sewerage in the Labrador Strait and other areas and we were going to be putting in a road, that surely we would not make the same mistake there. I am glad to be able to say, on behalf of the Minister of Municipal Affairs (Mrs. Newhook) and the Minister of Transportation (Mr. Dawe), that they ended up putting the water and sewerage into three of the main communities and then did the paving after. We do not always see that approach. You can see the example out in St. John's East Extern, Pouch Cove and Torbay, and you can see the example in other areas around the Province, where we did paving and then went in and tore it up to put in water and sewer and ended up ruining the pavement.

But this tax, Mr. Speaker, the gasoline tax, is one of the things that we have to come to grips with in the Province. But the main part is with regard to transportation, are we looking after the roads? A petition was presented here the other day on the Southwest Arm Road. Four million dollars of fish being transported over that road in one year, Mr. Speaker, and all it needs is twenty-one kilometers of road paved.



MR. HISCOCK: If we are going to spend money on transportation and be taxed on gasoline, one would assume this money would be taken to improve our road services but that is not being done. It is being done in the larger urban areas where there is a traffic problem, where the ministers themselves get caught up in traffic. We see the Crosstown Arterial road here in St. John's and we hear about the plan for the Outer Ring Road through Pippy Park to accommodate the building of new institutions, the new Confederation Complex, the Marine Technology building, the Fisheries College, the improvements to and enlargement of the university. It is being done in those areas, but we do not see improved road services to small communities, such as Black Tickle, that has only one-quarter of a mile of road, if that. And are they, on their own, supposed to acquire a tractor and a dump truck and a front end loader? It is not sensible, Mr. Speaker.

I hope that the minister can say after she leaves politics that she had an impact. We all from time to time leave politics whether we like it or not, whether voluntarily or through retirement. I am sure that the minister, while she is doing an able job, has no intention of spending the remainder of her days in this House having to put up with listening to people like myself and the member for St. John's North (Mr. Carter), that she will have new milestones ahead, and new adventures. But, in the meantime, Mr. Speaker, in her present portfolio, at least, however long she has it - I cannot say that I wish her a long political life in the department because I, myself would like to be in that department so that I could implement some of the things I am talking about, and we cannot, we know, Mr. Speaker, being in Opposition, implement them - we can appeal to her common

MR. HISCOCK: sense and her good graces.

And I hope that the Minister of Transportation (Mr. Dawe) and the Minister of Municipal Affairs (Mrs. Newhook) will realize that the people in Labrador are paying tax on gasoline for their Ski-doods and are not benefiting because of the taxation. I think that we, as a Province, can improve their lot. Because they are not connected to the Island by road, they have to look after themselves. But I have asked the Minister of Municipal Affairs this - and it is a pity the Minister of Transportation is not here - what are we going to do about the road from Lodge Bay to Mary's Harbour? Who is going to maintain that? Technically, because they are interconnected, it is the responsibility of the Department of Transportation. The road between George Cove and Williams Harbour, although only used on a seasonal basis, connects two communities and is the responsibility of the Department of Transportation. So after spending approximately \$2 million on one road and \$700,000 on another, are we going to let those roads give way to erosion? I can tell you that the community council in Mary's Harbour is not going to take responsibility for all those kilometers of road because they do not have the equipment, nor is the local service district in Lodge Bay. So, as I said, we do need a regional approach. And maybe, as I said, the Department of Transportation could put equipment in the area and the Minister of Municipal Affairs could give to the area the grant she would normally give to a council towards the operation of that small depot, travelling depot, I would call it. And, as I said, all

MR. HISCOCK: you need a grader, a front end loader, a dump truck. Now that airstrips are being built in these communities, there is no reason why we cannot have some crushed stone stockpiled for future use. But, no, Mr. Speaker, we do not do that, we do not think in the long term, we only think in the immediate. As I said, in rural areas like Black Tickle and Charlottetown. I think we have a responsibility to realize that it is not every day that you are going to get a crusher and construction equipment in there. I found the minister to be reasonable and I hope that she does impress upon the Cabinet and impress upon the Minister of Transportation (Mr. Dawe) to look at this possibility.

On the amendment of the gasoline tax, as I said, when the Minister of Finance (Dr. Collins) gets up I hope he will tell us what the percentage of indexing is on gasoline, how much is outstanding in gasoline tax to the Province, how many court cases or potential complaints have been laid against operators, and what fines are outstanding? Mr. Speaker, does the minister have any intentions of lowering the tax with regard to Western Labrador and with regard to the Labrador Straits where we have to provinces interconnecting? I know that when I brought this matter up before the minister ended up stating that I discovered a border problem. Well, whether I discovered it or not, the fact and the reality is there. I do not think it should be dealt with lightly that we are losing jobs in that area. We are finding that our business people are finding it harder. A lot of people would say, 'Well, fine, that is good for competition', and I totally agree with

MR. HISCOCK: competition, but I also believe that in competition you should be at least able to compete, and some of these businesses cannot. In the long term it is probably more detrimental to Labrador West and to the Straits area to have everything bought in Quebec, because the end result is that the services will no longer be provided in the Province. I think at least six or seven stores are after going under in the Labrador Straits area, mainly because they could not compete.

I have numerous requests from areas in my district asking for financial help in setting up a small business. But because it does not qualify on a resource basis, like fisheries, tourism, agriculture, woods operation, they do not get it because it is a service industry. As I said, Mr. Speaker, this being a money bill, we have a wide-ranging debate, but I do hope that some of the points that I have brought up - it is too bad the Minister of Transportation (Mr. Dawe) is not here - that the Minister of Municipal Affairs (Mrs. Newhook) will work on behalf of the people of Labrador as she has in the past and hopefully end up finding some reasonable, equitable position of addressing this problem. And just because they are not connected by road and are only connected by water that we should have the roads in these communities upgraded. And now that we have construction going on in these areas we will make maximum use of the equipment and save

MR. HISCOCK: the people in those communities money.

Mr. Speaker, I believe my colleague would like a few brief words, so I will close. Thank you.

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

MR. WARREN: Yes, Mr. Speaker. I will be very brief. In the absence of the Minister of Finance (Dr. Collins), the House Leader (Mr. Marshall) will be closing the debate on this particular bill. I am just wondering, Mr. Speaker, when the minister responds if he could advise if there will be any changes in the gasoline tax as it pertains - I think I want to carry on further to what my colleague said - as it pertains to communities throughout Newfoundland and Labrador? There are communities in the Province, too, where a road is only operational part of the year. The road is only in operation part of the year and surely goodness the gasoline tax should be tagged or pegged to coincide with the geographical areas of the Province.

Secondly, I think this is probably a unique concern but it is a concern, but at the present time if a logger uses a tractor to pull some logs out of the forest, he will get a tax exemption on gasoline or diesel fuel, whatever he uses in his tractor. Well, we have individuals throughout this Province and in Labrador who use their skidoos for the same purpose. But under the present legislation those individuals cannot get any tax rebate because a skidoo is not covered under the proper legislation. I would like to recommend to the minister that, surely goodness, if farmers or fishermen or loggers get the tax

MR. WARREN: exemption now for carrying on their professions, if they are using an outboard motor or if they are using a tractor or using a dump truck or whatever kind of equipment they are using, surely we should extend that regulation to include also the use of a skidoo or the use of any other kind of machinery that they use in fulfillment of their careers.

Mr. Speaker, in closing I would like to refer back to clause (5). The reason I refer back to that, Mr. Speaker, is that recently, I believe it was in the Province of Ontario, the co-owners of a service station who did not follow the federal government regulations of changing their measurement to litres but continued to sell gas in gallons, and I believe we have clause (5) because our measure has been converted from gallons to litres. Now I, for one, think in all due respect, the United States being our

MR. WARREN: nearest neighbor and still following the imperial measurements, I think we have done wrong by bringing in the metric system. You know it is okay for an individual service station or a service station company to object against the federal regulations. But, I mean, this government has fought the federal government on every other thing in the world you can talk about, whatever in the heck you can talk about, but on this particular issue, the metric system, this government did not seem like they were interested in keeping our imperial measurements. Now I, for one, would like to go on record as saying that I believe we should go back to the imperial measurements. We should forget about the metric system altogether and go back to the common, basic measurements that all Newfoundlanders and Labradorians are used to.

You know, the United States, our Southern neighbor has no intention of going to the metric system.

AN HON. MEMBER: How many pints to the gallon?

MR. WARREN: How many pints to the gallon? Eight, I believe. Eight, is it? I am getting so far away now that I do not know. I know there are four quarts to the gallon, I know that much.

So, Mr. Speaker, we are getting away from our imperial measurements. I do not think Canada should have made the move to the metric system.

MR. ROBERTS: The member is having trouble understanding it, is that it?

MR. WARREN: I have very, very much difficulty.

MR. ROBERTS: Perhaps the member, by that same logic, feels we should not speak English.

MR. WARREN: Mr. Speaker, I agree with the hon. member for the Strait of Belle Isle (Mr. Roberts) that the member does not understand the metric system. There are a lot of other things the member does not understand, Mr. Speaker, but at least he admits it. With those few words, Mr. Speaker, I would like to say that we are not going to support this bill to amend the gasoline tax, where you are going to take the money out of the pockets of Newfoundlanders and Labradorians. We have no intention of doing so. In fact, if this was helping the Newfoundlanders and Labradorians to achieve a possible saving on gasoline - I believe this government is going to heck with it. They have overtaxed everything else now. They have overtaxed everybody in the Province. So this government decided do not raise any taxes but still in all anybody who operates a car a motor boat of any sort, any kind of a vehicle at all, he will be taxed, amen, you know.

Last week the minister came in and decided to take the tax off of kerosene. It would be interesting for the minister to tell us exactly how many dollars people have spent in this Province on gasoline. However, Mr. Speaker, in my closing remarks, we will not be supporting this bill. In fact, Mr. Speaker, in closing I would say our new member who comes in on this side, who will be elected after tonight, he will not support it either.

MR. SPEAKER (AYLWARD): If the hon. member speaks now he will close the debate.



MR. MARSHALL: The hon. Minister of Finance (Dr. Collins) had to leave.

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

MR. MARSHALL: I would think that most of us wish we could have left with him.

MR. ROBERTS: He is downstairs trying to balance the books.

MR. MARSHALL: No, actually he is going now to meet with his federal counterpart to see what he can do to pull him out of the jam that they are in.

The only observation I have to make, Mr. Speaker, is that nobody likes taxes. Nobody on the government side likes taxes, nobody on the Opposition side likes taxes. But whether we can give the relief from taxes that the hon. gentleman wants depends upon whether we get the money. If we do not get it from taxes we have to get it elsewhere. I repeat again, when we get control of our resources we will be able to reduce the taxes to a reasonable rate, at least to the average of the rest of Canada. So those are the only comments I have to make. I move second reading.

On motion, a bill, "An Act To Amend The Gasoline Tax Act, 1978", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 2)

Motion, second reading of a bill, "An Act To Amend The Income Tax Savings Plans Act". (Bill No. 61)

December 7, 1983

Tape No. 3797

IB-4

MR. SPEAKER (RUSSELL):

of the Council.

The hon. President

MR. MARSHALL:

just merely a bill to bring the matter of taxation plans and depositories within the Income Tax Act of Canada, which allows deposits with Credit Unions

Mr. Speaker, this is

MR. MARSHALL: deposits with credit unions and other depositories to be eligible for inclusion in Retirement Savings Plan. It is merely an amendment to the act to bring it in line with amendments that have been made to the Income Tax Act of Canada.

MR. ROBERTS: Mr Speaker.

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

MR. ROBERTS: Mr. Speaker, there is no difficulty from this side of the House. The minister has explained that the bill simply incorporates into our legislation a provision which is in the comparable Income Tax of Canada and, of course, I assume that simply reflects the fact that we pay two separate taxes on our personal income in this Province. We pay a tax to the Government of Canada and a tax to the Government of Newfoundland and Labrador, with the latter tax being collected by the Government of Canada so we are spared the need, as citizens, to fill out two returns and the government are spared at this level, in the Province, the expense of setting up their own collection system. So, you know, the RSPs do not need any elucidation from me. They are a very good idea. Canada has one of the most advanced systems in the world of RRSPs and RSPs. Anything that we can do to facilitate people taking advantage of that, in my view, we should do.

On motion, a bill, "An Act To Amend The Income Tax Savings Plans Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 61).

MR. MARSHALL: Order 49, Bill No. 78.

Motion, second reading of a bill, "An Act To Amend The Solemnization Of Marriage Act," (Bill No. 78).

MR. HOUSE: Mr. Speaker.

MR. SPEAKER (Russell): The hon. the Minister of Health.

MR. HOUSE: Mr. Speaker, Section 4 , 5 and 6 of the current act give a clergyman or a Salvation Army Officer the privilege of performing marriages and there is another part of the act, in 5 and 6, which provides for civil marriages. Neither one of these particular sections suits the Baha'i Faith, they do not have the same kind of hierarchy. And what this bill is doing is adding section 6.1 to provide a marriage registrar for the Baha'i Faith to be able to perform and register marriages.

MR. ROBERTS: Mr. Speaker.

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

MR. ROBERTS: Mr. Speaker, the merit of the bill is such that obviously we will support it. It is a major legislative enactment that represents, no doubt, several weeks of work by the Minister of Health and by his officials.

MR. SIMMS: He works hard.

MR. ROBERTS: I agree the Minister of Health works hard. If only he worked well, the Province would be better off, Mr. Speaker.

Let me, though, simply ask him a question or two and then make one comment. He said that this sets up a marriage registrar, and I assume that this is all that is necessary to enable the adherents of the Baha'i Faith in this Province to be married in the Baha'i Faith rituals and according to the Baha'i Faith beliefs in this Province, and if that is so, then, of course, we should hasten to approve the bill.

MR. ROBERTS:

The Baha'i Faith, I am not sure I understand much about it in the religious sense but it is, of course, an accepted religion. As far as I know, our marriage legislation allows any person to be married according to his or her religious beliefs, including the various Christian churches, the Jewish Faith and I believe we have provision for Moslem rights in this Province - Moslem marriage rights, not Moslem religious divorce rights because they, of course, conflict with Canadian law and the divorce law is federal, for whatever reason, but the Constitution Act says so. And we should obviously allow the Baha'i people to become married according to their own Faith. Not only have I no objection, there could not possibly be any objection to that.

The only other comment I would make is simply that I think it is worthy of note, and perhaps we could simply note it in the House in passing

MR. ROBERTS:

'that the Baha'i Faith is being subjected to the most hideous persecution in Iran, and it is made all the worse because that persecution is being done by men in Iran in the name of what they believe - not what they believe - in the name of their God, Allah. They are Moslems. It is just the most hideous and entirely unacceptable persecution. I suppose it is the most glaring example in the world today of people who are being made to suffer and to suffer the gravest consequences. These people, in many cases, are being taken out and executed for believing in their own faith. I mean, there is no point in our getting worked up about it. I assume that the madman who is the head of state in Iran, the Ayatollah Khomeine, could not really care less what any of us in this country or anywhere else think, if he thinks at all about anybody as opposed to being simply irrational and emotional. But surely we, in this House, should at least note it, given that we are talking about a bill that deals with the people of this faith.

Mr. Speaker, there can obviously be no objection, as I have said. To the contrary, we should compliment the minister and we do.

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

MR. MARSHALL: Is it agreed to stop the clock?

MR. SPEAKER: Is it agreed to stop the clock for a few minutes?

SOME HON. MEMBERS: Yes.

MR. SPEAKER: Agreed.

MR. HOUSE: Mr. Speaker, I deliberately kept it short because it was fairly self explanatory. The point I want to make is the fact that there is no head of - they are recognized in Canada. They have an organization here in Newfoundland and what they do, of course, in their marriages is when they satisfy the elders that they are eligible to be married, they just perform their vows before the congregation. And consequently the purpose of the marriage registrar is to record that and present it to government, the same as a clergyman would.

Of course, I did not mention in introducing this bill the sentiments expressed by the member for the Strait of Belle Isle (Mr. Roberts), but certainly I go along with exactly what he is saying, that there is a persecution there. This has nothing to do with this bill in any way but it is a good time to mention it. I move second reading.

On motion, a bill, "An Act To Amend The Solemnization Of Marriage Act", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 78)

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

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

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

Index

Answers to Questions

Tabled

7 December 1983



QUESTION 157 - ORDER PAPER 57-83

MR. HISCOCK (EAGLE RIVER) - TO ASK THE HONOURABLE THE MINISTER OF PUBLIC WORKS AND SERVICES TO LAY UPON THE TABLE OF THE HOUSE THE FOLLOWING INFORMATION:

---

- QUESTION:
1. LIST AND LOCATION OF ALL RENTAL OFFICE SPACE LEASED IN ST. JOHN'S BY THE PROVINCE OUTSIDE CONFEDERATION BUILDING AT THE PRESENT TIME. GIVE THE LENGTH OF TIME FOR THE LEASE OF EACH RENTAL AGREEMENT. GIVE THE FINANCIAL TERMS OF EACH RENTAL AGREEMENT.
  2. HOW MUCH RENTAL SPACE OUTSIDE CONFEDERATION BUILDING WILL THE PROVINCE BE CONTRACTUALLY LIABLE FOR IN THE CITY OF ST. JOHN'S ONCE THE NEW CONFEDERATION COMPLEX IS COMPLETED AND OCCUPIED?
  3. WHAT DEPARTMENTS WILL OCCUPY THE NEW CONFEDERATION COMPLEX AND WHICH DEPARTMENTS WILL BE LOCATED IN THE EXISTING CONFEDERATION BUILDING?
  4. WHAT DEPARTMENTS AND OFFICES WILL REMAIN OUTSIDE THE CONFEDERATION BUILDING AND CONFEDERATION COMPLEX IN ST. JOHN'S?
  5. ONCE THE CONFEDERATION COMPLEX IS OCCUPIED, WILL THE PROVINCE STILL BE CONTRACTUALLY LIABLE FOR ANY RENTAL OFFICE VACATED BY THE REMOVAL OF CIVIL SERVANTS TO THE CONFEDERATION BUILDING AND THE CONFEDERATION COMPLEX?

- ANSWER:
1. A LIST CONTAINING THE LOCATION OF ALL SPACE RENTED IN ST. JOHN'S BY THE PROVINCE, AND INDICATING THE TERM OF THE LEASE AND THE FINANCIAL TERMS IS ATTACHED.
  2. THE MAJOR LEASES OF THE DEPARTMENT ARE STRUCTURED SO THAT THEIR TERMINATION WILL COINCIDE WITH THE COMPLETION DATE OF THE CONFEDERATION BUILDING ANNEX. IT IS HOPED THAT WE WILL BE ABLE TO MINIMIZE THE SPACE WHICH WE WILL CONTINUE TO NEED ON A RENTED BASIS ONCE THE NEW FACILITY IS COMPLETED. IT SHOULD

BE NOTED, HOWEVER, THAT CERTAIN NON-HEADQUARTERS OPERATIONS OF GOVERNMENT WILL NOT BE MOVING INTO THE CONFEDERATION BUILDING ANNEX, AND SOME LEASED ACCOMMODATIONS WILL CONTINUE TO BE REQUIRED FOR THESE SERVICES.

3. THE DEPARTMENTS WHICH WILL OCCUPY THE NEW CONFEDERATION BUILDING ANNEX HAVE NOT YET BEEN DECIDED FULLY BY CABINET. THIS WILL BE ANNOUNCED IN DUE COURSE, AS PLANNING PROCEEDS TO THE STATE WHERE THIS IDENTIFICATION IS REQUIRED.

IT IS INTENDED THAT DEPARTMENTS WHICH WILL HAVE A HIGH INTERFACE WITH THE PUBLIC WILL BE LOCATED IN THE NEW COMPLEX, AND DEPARTMENTS WHICH INTERFACE MAINLY WITH GOVERNMENT OR SERVICE ONLY GOVERNMENT WILL BE HOUSED IN THE EXISTING CONFEDERATION BUILDING STRUCTURE.

4. REGIONAL COMPONENTS OF DEPARTMENTS WILL NOT BE HOUSED IN CONFEDERATION BUILDING OR THE CONFEDERATION BUILDING ANNEX, AND THEREFORE THE REGIONAL SERVICES COMPONENTS, AS IDENTIFIED BY VARIOUS DEPARTMENTS, WILL CONTINUE TO REMAIN OUTSIDE CONFEDERATION BUILDING. EXAMPLES OF THESE ARE THE DEPARTMENT OF SOCIAL SERVICES REGIONAL OFFICES.
5. IT IS ANTICIPATED THAT THROUGH PHASING THE MOVE INTO THE NEW CONFEDERATION BUILDING ANNEX WE WILL BE ABLE TO MINIMIZE THE AMOUNT OF VACANT SPACE THAT WILL BE UNDER FORMAL LEASE. UNDOUBTEDLY, THERE WILL BE SOME TIME LAG BETWEEN THE REMOVAL OF DEPARTMENTS FROM LEASED ACCOMMODATIONS AND THE TIME THAT THE LEASE ITSELF WILL TERMINATE, BUT EVERY EFFORT WILL BE MADE TO KEEP THIS TO A MINIMUM.

RENTED PREMISES, ST. JOHN'S AREA

<u>DEPARTMENT AND LOCATION</u>	<u>RENTAL AREA SQ.FT.</u>	<u>RATE PER SQ.FT.</u>	<u>ANNUAL RENT</u>	<u>EXPIRY DATE OF LEASE</u>
<u>Auditor General's Dept.</u>				
Prudential Building	5,826	\$10.00	\$58,260.00	85.06.24
Prudential Building	1,893	10.00	18,930.00	85.12.14
<u>Ombudsman's Office</u>				
Prudential Building	1,308.63	10.00	13,085.80	85.11.30
<u>Department of Finance</u>				
Prudential Building	249.95	8.50	2,124.57	85.11.30
Prudential Building	764.50	12.00	9,174.00	85.12.31
Roberts Building	3,100	6.50	25,771.85	84.01.07
<u>Department of Public Works &amp; Services</u>				
Ayre's Building	5,458	12.50	68,225.00	86.05.31
Chimo Building	1,934	11.00	21,270.00	84.06.30
Tiffany Towers			8,912.00	84.04.30
<u>Department of Development</u>				
Atlantic Place (5th Floor)	11,934	11.75	140,224.50	84.04.26
Atlantic Place (7th Floor)	10,795.72	16.90	182,523.97	87.04.26
Atlantic Place (8th Floor)	6,900	23.40	160,000.00	87.04.26
Storage Facilities			6,000.00	Monthly Tenancy
<u>Department of Mines &amp; Energy</u>				
Atlantic Place (Petroleum Directorate)	11,030	11.75	129,602.50	84.04.26
Eastern Canada Bldg.	14,121	9.00	127,089.00	84.12.31
Medical Arts Building	2,180	11.00	23,980.00	85.05.31
Medical Arts Building	4,694	9.50	44,593.00	85.05.31
Eastern Canada Bldg.	550	16.00	8,800.00	85.09.30
Eastern Canada Bldg.	1,900	14.00	26,600.00	86.02.14

RENTED PREMISES, ST. JOHN'S AREA

<u>DEPARTMENT AND LOCATION</u>	<u>RENTAL AREA SQ.FT.</u>	<u>RATE PER SQ.FT.</u>	<u>ANNUAL RENT</u>	<u>EXPIRY DATE OF LEASE</u>
<u>Department of Social Services (Cont'd)</u>				
Nuport Building	5,516	16.50	91,014.00	86.01.15
Mount Cashel Orphanage	2,984	8.00	23,872.00	84.08.31
<u>Department of Health</u>				
Elizabeth Towers	2,565	14.00	35,910.00	Monthly Ten
<u>Department of Labour &amp; Manpower</u>				
Beothic Building	22,430	10.40	233,272.00	84.06.30
Beothic Building	2,350	14.00	32,900.00	84.06.30
Chimo Building	2,286	11.50	26,289.00	84.06.30
E.C. Boone Building	1,533	11.68	17,904.00	87.04.30
<u>Department of Municipal Affairs</u>				
Carnell Building	5,400	14.00	75,600.00	85.12.31
<u>Department of Culture, Recreation &amp; Youth</u>				
Murray Premises	13,352	8.50	113,492.00	84.09.31
<u>Department of Justice</u>				
Ashley Building	1,563	9.00	14,067.00	84.01.08
Daily News Building	2,950	9.49	28,000.00	85.09.30
Daily News Building	4,620	9.90	45,738.00	85.09.30
Elizabeth Towers (Consumer Affairs Branch)	8,975	14.00	125,650.00	Monthly Ten.
Elizabeth Towers (Human Rights Comm.)	1,302	14.00	18,228.00	" "
Prudential Building	1,641.31	11.50	18,875.00	86.05.23
120 Water Street	5,227	6.50	29,958.50	87.10.31
* Sunrise Building	5,000	13.75	68,750.00	84.02.28

\* Rent paid by Royal Commission on Health Care

Total Annual Rent -	3,573,751.04
Less: Paid by other Depts. -	<u>176,286.84</u>
	<u>3,397,464.20</u>

QUESTION 159 - ORDER PAPER 57/83

MR. HISCOCK (EAGLE RIVER) - TO ASK THE HONOURABLE THE MINISTER OF PUBLIC WORKS AND SERVICES TO LAY UPON THE TABLE OF THE HOUSE THE FOLLOWING INFORMATION:

-----

QUESTION: COST OF ALL RENOVATIONS, REPAIRS AND ANY OTHER CONSTRUCTION COSTS BY HIS DEPARTMENT TO THE PENITENTIARY, ALL LOCK-UPS, MAGISTRATES' COURTS AND JAILS IN THE PROVINCE FOR THE FISCAL YEAR 1980-81, 1981-82, 1982-83 AND 1983 TO DATE.

ANSWER IT WOULD REQUIRE AN INORDINATE AMOUNT OF RESEARCH TO PROVIDE THE DETAILED FINANCIAL INFORMATION REQUESTED, AND I AM NOT SURE THAT THIS INFORMATION WOULD BE MEANINGFUL IF IT WERE LUMPED TOGETHER AND NOT IDENTIFIABLE BY FACILITY. ALSO, IT SHOULD BE NOTED THAT SOME OF THE COSTS OF OPERATING TNE MAINTAINING VARIOUS JAILS IS THE RESPONSIBILITY OF THE GOVERNMENT OF CANADA AND THE COST INCURRED BY THE PROVINCE WOULD NOT INDICATE THE FULL COST INCURRED FOR EACH FACILITY.