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PRELIMINARY
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TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 P.M. - 6:00 P.M.
TUESDAY, MAY 31, 1983

The House met at 3:00 p.m.

Mr. Speaker in the Chair

MR. SPEAKER (Russell): Order, please!

ORAL QUESTIONS

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, this is what we call a mopping up operations, a clean-up day in Question Period. We have a whole raft of questions we have been unable to get in because of the larger issues. I would like to start out with the Minister of Fisheries (Mr. Morgan). I would like to ask the Minister of Fisheries, because there was such a hullabaloo, Mr. Speaker, about the \$500,000 offer of a loan and guarantee to Carino for the purchase of seal pelts this year, and the administration were patting themselves on the back for this great effort, could the hon. gentleman tell the House if indeed the \$500,000 guarantee will be necessary, will it be picked up by Carino? Because it was designed, as I understand, to purchase pelts over 60,000. I believe there were only 40,000 pelts taken this year, so, Mr. Speaker, could the hon. gentleman tell the House if the \$500,000 that he was crowing about there a couple of weeks ago will be necessary and, if not, what will happen to the \$500,000?

MR. MORGAN: Mr. Speaker.

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

MR. MORGAN: Well, Mr. Speaker, the \$500,000 programme was indeed a government loan guarantee programme and, as mentioned by the Opposition Leader in asking the question it was to purchase pelts over and above what the company felt they could buy on their own. And the company, of course, had agreed to buy 60,000 pelts and that was not near the quota

MR. MORGAN: and therefore, because of that, the \$500,000 programme put forward by the Newfoundland Government was not activated. However, the \$50,000 grant that we indicated was available to the association has been processed and supplied to the Sealers' Association for their operation. In the same manner as the \$50,000 grant provided at the federal level of government, we matched that grant, making a total grant of \$100,000 to the Sealers' Association. But the programme itself, the \$500,000 programme, was not activated because of the poor Spring for the seal fishery.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Well, Mr. Speaker, that confirms the information that we have that the whole thing turned out to be a gigantic hoax and a bluff. No doubt the hon. gentleman had advance notice that -

MR. SPEAKER: Order, please! Order, please!
The hon. the Leader of the Opposition is proceeding to make a speech. I would request that he pose a question.

MR. NEARY: Mr. Speaker, my question:
Because the whole thing turned out to be a hoax and a bluff, and the hon. gentleman probably had inside information anyway that they would not take 60,000 pelts this year, could the hon. gentleman tell the House now, will this \$500,000 that has been saved by the administration be turned over to the Sealers' Association to help them to set up a processing method in this Province for processing the seal pelts here in Newfoundland?

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

MR. MORGAN: Well, Mr. Speaker, to comment on the preamble to the hon. gentleman's question, the fact that I had inside information on what was going to happen

MR. MORGAN: this Spring, I guess it means I am talking to God because it was an act of God when the ice conditions came in to the point where the fishermen could not participate in the harvest of seals.

MR. NEARY: You were talking to the Premier, were you?

MR. MORGAN: And surely, nobody could prejudge that, whether there would be bad ice conditions or good ice conditions. They could not prejudge what would be the catch this year. So it was not a hoax and it was not any presumption on the part of anybody what was going to happen. The fact is in a normal sealing season, a normal seal fishery, you would have seen more than 100,000 pelts bought by that same company. This year they felt they could not afford to buy any more than 60,000 pelts so we were going to cover the cost of buying and processing the remaining amount over 60,000. So it was not a hoax, it was a very sincere programme. It was put forward to help the sealers and, if they had had a good Spring, it would have been indeed a good help to them in the buying of their pelts. But, as I say again, it was, I guess you can term it, an act of God that the ice came in in such a way as it did, the most severe ice conditions we have had in the last twenty years,

MR. MORGAN: with the exception of 1974 even, there were worse conditions this year than in 1974 and it was beyond the control of any man.

As it pertains to helping the Sealers' Association, we are working hand in hand with the federal Minister of Fisheries (Mr. De Bane) and the federal Department of Fisheries in conjunction with the Sealers' Association to do all we can to help revitalize the sealing industry. And what has now been suggested and agreed to by the federal minister, we suggested the establishment of a revitalization committee or commission, a Sealing Industry Revitalization Committee, whereby we will not sit by until next year's seal fishery, we will work over the next number of months, throughout the Summer and the Fall in particular, in ensuring that every step is taken to revitalize the sealing industry. If that means further processing here in Newfoundland, it will be looked at in a very sincere and a very deep, analytical way, we will analysis all aspects of it. We are looking at, in fact, a partially constructed plant located down in Fleur de Lys initially built for the purpose of a crab processing operation. And because the federal government are not going to issue any more licences -

MR. NEARY: Is that a Montreal firm?

MR. RIDEOUT: No, that is Newfoundland.

MR. NEARY: Well, what about the Montreal company? Where are they trying to set up.

MR. SPEAKER (Russell): Order, please!

AN HON. MEMBER: Seal Cove.

MR. NEARY: Seal Cove.

MR. SPEAKER: Order, please!

MR. MORGAN: It is a plant, Mr. Speaker, partically constructed by a company that was going to process crab and the federal government did not issue the necessary

MR. MORGAN: harvesting licences to the fishermen in the area to enable the plant to be completed and carry on processing operations. The Sealers' Association, Mr. Speaker, are looking at that building in a serious way and it has made proposals to both governments with the possibility of taking that partially completed plant in Fleur de Lys and turning it into a processing operation on their own in the form of a co-operative. And we will work with that Sealers' Association for that purpose. But more importantly, Mr. Speaker, we have agreed, despite the fact the Opposition is always complaining about the present Minister of Fisheries and his travels and selling fish and promoting the sale of fish, we indeed intend to travel extensively this coming Fall. The federal minister and his officials have agreed to it, and the officials of the Newfoundland government, the Sealers' Association and myself may very well take a worldwide tour in all the countries we can think of where there are potential to sell seal skins. And we will have no apology to anyone. If we go to Russia, if we go to Japan, if we go to Taiwan, if we go to Yugoslavia, if we go to Czechoslovakia where else can I think of? - Hungary and South Korea. All of these places, Mr. Speaker, yours truly will be travelling to this Fall if everything goes well.

MR. SPEAKER (Russell): Order, please!

I must remind the hon. minister that answers to questions should be brief.

SOME HON. MEMBERS: By leave.

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

MR. NEARY: I hope if the hon. gentleman travels to all these countries that he will not be telling any more jokes.

Mr. Speaker, I noticed when the hon. gentleman said he did not confer with God, he looked at the Premier's seat, he looked up at the vacant seat.

Mr. Speaker, I have disposed of the hon. gentleman and his charade on that \$500,000, now I want to come to the Minister of Energy (Mr. Dawe) about another matter that is of concern.

MR. MARSHALL: I would like to hear the question.

MR. NEARY: Well, of course! Tell your colleagues just to restrain themselves.

Mr. Speaker, I would like to talk about the Ocean Ranger for a moment with the hon. gentleman. A lady out in Corner Brook, and I agree with this lady, would like to have the Ocean Ranger searched, a thorough search done, to see if there are any bodies aboard of the Ocean Ranger before it is moved. Now would the hon. gentleman tell the House if the administration have made any representation to Mobil, to ODECO and the companies involved, to see that that is done? Because I think there are a lot of people in this Province who would like to see one last, thorough search made of the Ocean Ranger before it is moved out in deeper water and put on the bottom.

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

MR. MARSHALL: Mr. Speaker, in connection with this whole situation, and this whole question, the Province has addressed this with the sensitivity that this particular issue requires. Its consultation has been with the oil companies, with

MR. MARSHALL: the federal government, and, I suppose, last but not least, as a matter of fact foremost, with the Ocean Ranger Foundation and with the families of the Ocean Ranger Foundation. Now, Mr. Speaker, we have consulted with the bereaved primarily with respect to this. All I can say to the hon. gentleman is that measures that have been taken have been taken after the fullest consultation, and, whether the hon. gentleman realizes it or not, the fact of the matter is the issues involved are issues that are very sensitive to people concerned, and I would say to you, Mr. Speaker, and to members of the hon. House that I think within the realm of good taste, and within the realm of sensitivity of the people concerned, that I do not intend to

MR. MARSHALL:

respond any further to this question, other than to indicate to the hon. gentleman that the wishes and the concerns of all people concerned have been taken into account with the sensitivity that the question desires.

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

MR. NEARY: Mr. Speaker, I realize it is a very sensitive matter, but I believe the hon. gentleman should tell the House, and, Mr. Speaker, we have the right to ask questions about this matter - about this very sensitive matter which is something that should be dealt with. I am asking the hon. gentleman to tell the House if indeed representations were made to the various authorities to have this search made before they go out to move the Ocean Ranger? And would the hon. gentleman also tell the House if the administration is prepared to take the initiative and have a memorial service, Mr. Speaker, before the rig is moved out into deeper water?

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

MR. MARSHALL: Mr. Speaker, the representations that have been received have been representations that have been received very sensitively by this government after conferring primarily with the Ocean Ranger Foundation. With respect to taking the initiative, the initiative, Mr. Speaker, I think, as all Newfoundlanders will be aware, the initiative is within the province of the survivors of the people concerned, and it is to these people that the government has related.

As to the situation with respect to memorial services or any services of that nature, I can only repeat once again that the wishes of the Ocean Ranger Foundation have been taken into account. I attended about three or four weeks ago the first annual meeting of the Ocean Ranger Foundation at which time the

MR. MARSHALL: particular question was addressed, and I have no intention of debating it at this particular time in the Public Assembly. Certainly the Public Assembly is the place for public information of public import to be debated and to be brought before the public, but there are times, Mr. Speaker, when that has to be balanced against the private concerns, and the private feelings of people concerned. And this is what I do when I respond to this question. I can tell the hon. gentleman that the provincial government, the federal government, indeed everybody concerned has been very, very concerned and sensitive to the wishes of the survivors and people concerned and that is who we are responding to. And I do not care, with all due respects to the hon. gentleman and his right to ask questions in a public forum, to respond any further than I already have to that question.

SOME HON. MEMBERS: Hear, hear!

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

MR. LUSH: Mr. Speaker, I have a question for the Minister of Education (Ms. Verge), In view of the fact that Summer is fast approaching, and before we know it we will be into September and many students will be planning to attend post-secondary institutions, and their plans to do that will be contingent upon what is happening with respect to student aid, whether the government plans to change some of the oppressive changes which they initiated with respect

MR. LUSH:

to student aid, and in view of the fact that students have presented a brief many many weeks ago, I wonder if the minister can indicate what favourable changes will be made in that student aid programme to assist students in the next few weeks in making up their minds whether or not they will be attending university or some of the other post-secondary institutions in the Province? Because if changes are not made many of them will not be able to attend.

MS. VERGE: Mr. Speaker.

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

MS. VERGE: Mr. Speaker, later this week I will be making a public announcement about the changes in the Province's student aid plan that will become effective September 1983. As the hon. member indicated, I did receive a formal submission from the Council of the Student Union of Memorial University, that was on Tuesday, May 10, when I had a lengthy meeting with representatives of the CSU. Following the meeting, it was on May 10, three weeks ago, as I indicated to the students I had copies of their submission distributed to each and every member of the Cabinet. Following that there was careful consideration of the contents of the document and the precise recommendations made therein by Cabinet and all of that process, which has just recently been completed, will lead to final decisions which, as I have said, I will be announcing publicly later this week. I should say, Mr. Speaker, that I will at the same time be responding in writing to the CSU commenting point by point on the contents of their formal submission.

MR. LUSH: Mr. Speaker.

MR. SPEAKER: The hon. the member for Terra Nova.

MR. LUSH: Mr. Speaker, to help relieve the frustrations of parents and students throughout the Province,

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MR. LUSH: I wonder if the minister can indicate what direction some of these changes will take, whether they will be in the form of reducing the ceiling loan or just what the nature of the changes will be?

MS. VERGE: Mr. Speaker.

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

MS. VERGE: Mr. Speaker, I will give full information on the details of the changes in the student aid programme that will become effective in September later in the week. I will make a public announcement later in the week and will be glad to answer any questions about it after that.

MR. LUSH: Mr. Speaker.

MR. SPEAKER: The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, The Daily News carried a rather startling story today about the St. John's firemen. Therefore, I have a question for the Minister of Justice (Mr. Ottenheimer) as to whether or not he has received any formal representation from citizens of St. John's or from any other group that would give any substance to the story today carried in The Daily News mainly to the effect that the St. John's firemen are undermanned and that the city could be in great danger if a fire started and many other items referring to the low morale of firemen. I wonder if the minister can give a general comment on that situation?

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, I am very glad to respond to the hon. gentleman's question. The question, of course, is based on a report in The Daily News of today's date and quotes a source, unidentified, who was not a member, apparently, of the Fire Department. So, of course, we have The Daily News, and I think the hon. Leader of the Opposition (Mr. Neary) will agree that he is not always in agreement with what is in The Daily News.

SOME HON. MEMBERS: Hear, hear!

MR. OTTENHEIMER: We have the source unidentified, but being unidentified as being an unidentified person who is not in the Fire Department. So that would be one out of

MR. OTTENHEIMER: 560,000 Newfoundlanders
that would be the source. But, Mr. Speaker, I can certainly give the gentleman assurance that, to the best of my knowledge, morale is high, to the best of my knowledge, and indeed I have made inquiries, the force is not undermanned or the shifts are not undermanned, nor is there any great imminent danger to which the hon. gentleman referred.

MR. LUSH: Mr. Speaker.

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

MR. LUSH: Mr. Speaker, because the source, of course, was unidentified and was not a part of the St. John's Fire Department, as I am sure the minister would agree there is no necessity or no reason to dismiss this situation which seems to be very serious, according

MR. LUSH:

to the write-up and, as I have said, it is certainly no reason to dismiss it because the source is not identified. Indeed, there is probably a real reason as to why the source is an unidentified one insomuch, again, as the article suggested that these men are not allowed to speak out because of the nature of their Collective Bargaining Act, that these people are suppressed, they are not allowed to voice their own opinion.

MR. MARSHALL:

On a point of order, Mr. Speaker.

MR. SPEAKER (Russell):

Order, please!

The hon. the President of the Council on a point of order.

MR. MARSHALL:

Mr. Speaker, the hon. gentleman is making wild accusations and innuendoes that are completely outside of the rules of this House. If Your Honour will consult with Beauchesne, he is also making a speech -

MR. LUSH:

A good one, too.

MR. MARSHALL:

- and once again, a very bad one.

MR. NEARY:

To that point of order, Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition, to that point of order.

MR. NEARY:

Mr. Speaker, it is obvious that the hon. gentleman had his nasty pills again today before he came into the House.

My hon. colleague is merely giving a preamble to his question, Mr. Speaker. How can the hon. the minister understand the question if my hon. colleague is not allowed a brief preamble? That was what my colleague was doing and that is allowed in every legislature throughout the British Commonwealth, Mr. Speaker.

SOME HON. MEMBERS:

Wrong! Wrong!

MR. NEARY:

Right!

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

The hon. the member for Terra Nova (Mr. Lush) was recognized on a supplementary question. I am sure he is aware that there is a reference in Beauchesne to the fact that a supplementary question should not need any preamble. I would request him to pose a direct question.

MR. LUSH: My question, Mr. Speaker, is this: In view of the circumstances outlined, in view of the apparent suppression of complaints by firemen relating to their working situation, and in view of the statement to the effect that fire alarms have been removed from the city, Mr. Speaker -

MR. MARSHALL: On a point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

The hon. the President of the Council, on a point of order.

MR. MARSHALL: Your Honour, Mr. Speaker,

MR. MARSHALL: has drawn the hon. member for Terra Nova (Mr. Lush) to order. The hon. member for Terra Nova has been advised, in accordance with the established rules, that he is not to ask questions that have imputations connected with them. And he is just continuing the imputations and the wild accusations in another text without asking the question. So I think the hon. gentleman, Mr. Speaker, should be directed to ask his question, or to resume his seat.

MR. SPEAKER (Russell): The hon. Leader of the Opposition to that point of order.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, it is obvious now that the Government House Leader (Mr. Marshall) is trying to manipulate the Chair, trying to direct the Chair how to rule. In actual fact Your Honour is quite capable of enforcing the rules in this House. Your Honour let my colleague go ahead because Your Honour knew that he was in order. My colleague is merely saying, "Is the government aware of this? Is the government aware of that?" And these are questions, Mr. Speaker, that are in order.

MR. SPEAKER: Order, please! The Chair can only repeat that in asking a supplementary question no preamble should be necessary and I would, for a second time, request the hon. member for Terra Nova to be very precise with his question, otherwise I will have to rule him out of order.

MR. LUSH: A question to the Minister of Justice, Mr. Speaker, Can the minister confirm whether or not fire alarm boxes have been removed from their places of location in the city as a cost saving measure?

MR. SPEAKER: The hon. Minister of Justice.

MR. SPEAKER (Russell):

The hon. Minister of

Justice.

MR. OTTENHEIMER:

Mr. Speaker, I am glad

we got to the precision of the question. First of all, in the first question the hon. gentleman was totally wrong by referring to imminent danger of the city, a conflagration about to boil us all up. And then, in the second question, he refers to the suppression of the firemen, that nobody can speak and he was equally inaccurate. But finally, twelve minutes later, we came to the precise question, could I confirm that the fire alarm boxes have been removed and that this has been done to save money?

Now, Mr. Speaker, it is obvious where the hon. gentleman got his information. The fire alarm boxes are not on salary. They do not eat much. They need a bit of paint, a bit of oil occasionally. I am very pleased to confirm that the number of fire alarm boxes from 1980 to 1982 has been reduced from 507 in 1980 to 90 in 1982.

MR. OTTENHEIMER:

417 fire alarm boxes are no longer in existence, declared redundant. An example of the callousness of this government in its treatment of fire alarm boxes.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

They did not get severance

pay now. Did we do it to save money? No. I will tell the hon. gentleman why we did it. The fire alarm boxes were originally put in years or decades ago when there were very few telephones. Then, when the telephones got more plentiful, the fire alarm boxes came out of the areas in which there were telephones. And it was found that the fire alarm boxes were the cause of a great number of false alarms. That is the reason we took them out. Because from 1980 to 1982, the number of these poor fire alarm boxes which have been dismissed from service, having gone from 507 down to 90, low and behold! the number of false alarms has gone from 615 down to 270.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Russell):

The hon. member for Terra

Nova.

MR. LUSH:

Mr. Speaker, I am amazed at

the arrogance of the members opposite, Mr. Speaker, talking about such a serious matter, Mr. Speaker, as the lives of people of St. John's. And I have heard of examples before where hon. members opposite laughed, Mr. Speaker, but they did not get to laugh last. Mr. Speaker, this is a very, very serious matter and I am surprised -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. LUSH:

- at the jovial way that

hon. members are treating this very, very important topic. And, Mr. Speaker, if it lacks substance, we on this side of the House are delighted. If it lacks substance

MR. LUSH: that is fine, but at least the people of St. John's have a right to know what the situation is.

Mr. Speaker, another reference was made to the situation . It said that it was considered that fifty-six men be the minimum to be on duty at

MR. LUSH:

any one time and the source says that there was a situation where there were forty-six people on duty. Mr. Speaker, that is ten or so - I think it was forty-seven, fifty-six was the minimum and on a particular situation there were forty-seven men on duty so that is nine below what the minimum recommendation was.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Russell):

Order, please!

MR. LUSH:

So, Mr. Speaker, when the minister -

MR. SPEAKER:

Order, please! Order, please!

The Chair is very patiently

awaiting a question.

MR. LUSH:

The question is, Mr. Speaker,

can the minister verify that this indeed was the circumstances or is the minister aware of it? Did he receive any representation from anybody to this regard, that there were less than the minimum number of people of the St. John's Fire Brigade on duty working with less than the men required?

MR. OTTENHEIMER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Justice.

MR. OTTENHEIMER:

No, Mr. Speaker. The manning requirements of the St. John's Fire Department and of the various stations under it, there is a policy with respect to that and that policy is implemented by the chief of the Fire Department and his Deputy Chiefs. And the policy is a good one, they are professional people, they know their job and I am confident they are doing it well.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

The time for the Question Period

has expired.

Before we proceed with the other

MR. SPEAKER (Russell): business of the day, I would like to welcome to the galleries today a delegation from the Buchans Town Council led by Mayor Walsh with Councillors Power and Lane.

SOME HON. MEMBERS: Hear, hear!

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SIMMS: Mr. Speaker.

MR. SPEAKER: The hon. the Minister of Culture, Recreation and Youth.

MR. SIMMS: In accordance with Section 19 (4) of the Canada Games Park Commission Act, Mr. Speaker, I wish to table the Canada Games Park Commission financial statement for the year ending March 31, 1982.

MR. OTTENHEIMER: Mr. Speaker.

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

MR. OTTENHEIMER: Mr. Speaker, I would like to table a copy of the Thirty-second Annual Report of the Board of Commissioners of Public Utilities, and also the latest report of the Newfoundland Legal Aid Commission for the year ended March 31, 1982.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

MRS. NEWHOOK: Mr. Speaker.

MR. SPEAKER: The hon. the Minister of Municipal Affairs.

MRS. NEWHOOK: Mr. Speaker, I wish to submit the answer to Question 87 put by the M.H.A. for Eagle River (Mr. Hiscock).

ORDERS OF THE DAY

MR. MARSHALL:

Motion 39, Bill No. 53.

Motion, second reading of a bill,

"An Act To Amend The Mineral Act, 1976".

MR. SPEAKER (Russell):

The hon. President of the Council.

If the hon. minister speaks now

he will close the debate.

MR. MARSHALL:

Mr. Speaker, the hon. member for the Strait of Belle Isle (Mr. Roberts), when I introduced this bill yesterday, asked certain questions pertaining to the purpose of this act. I outlined most of them yesterday, but the real reason why this bill has to be passed through the House at this particular time is that it would enable the government to declare the reversion of the mineral and surface rights in the St. Lawrence area held by the Aluminum Company of Canada from which production of fluorspar was obtainable, and the proposed amendment makes it clear that the government is not obligated to pay any compensation for the reverted mineral or surface rights to this particular company. I emphasize again, generally speaking, it is a general policy of this government that companies coming into this Province for the purpose of exploration and development of our natural resources come in on the understanding that they will, in fact, explore and develop these resources for the benefit of the people of the Province, who in actual fact own the mineral rights themselves. And where, as was the case of the Aluminum Company of Canada, that it walked off and left the situation which it left in St. Lawrence, that this government has no hesitation whatsoever in bringing in the measure, which it indicated it would bring in at the time, which is confirmed by this bill, to seek reversion of the mineral rights, which it held, without compensation.

Clauses 7 and 8, the clauses in question, Mr. Speaker, will assure that whatever compensation is derived from this resource

MR. MARSHALL: is going to be compensation to the people who are entitled to it, that is, the people of Newfoundland and Labrador, and the people of St. Lawrence in particular.

I move second reading.

On motion, a bill, "An Act To Amend The Mineral Act, 1976", read a second time, ordered referred to a Committee of the Whole on tomorrow. (Bill No. 53).

Motion, second reading of a bill, "An Act To Remove Anomalies And Errors In The Statue Law". (Bill No. 57).

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

MR. MARSHALL: Mr. Speaker, on behalf of the

MR. MARSHALL: Minister of Justice (Mr. Ottenheimer),
I move the adoption of this bill.

Now, there is no bill which this government brings in which is housekeeping, it is safekeeping, all bills are, but this is not really a routine housekeeping bill but occasionally there arise certain errors in various statutes which have to be amended and the purpose of this bill is to give effect to these particular amendments. There are amendments here, for instance, to the Landlord And Tenant Residential Tenancy Act to correct a mistake in section reference; there is an amendment to the Mining and Minerals section which will correct the wording of Section 10 of the act to correspond with the wording in the heading of that section. This is the general type of amendment, Mr. Speaker, that the bill addresses itself to. I would move second reading and if the hon. the Leader of the Opposition (Mr. Neary) or any member of the House has any questions with respect to it, I would be glad to respond to them.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: No, Mr. Speaker, we have no questions. As the hon. gentleman said, if there is an example of a housekeeping bill in the Legislature, this is it. All it does is correct mistakes, omissions and things that were put in in error in previous legislation. For instance, in clause 2, it says, 'This amendment would correct a mistaken cross-reference in the Animal Protection Act.'

MR. SIMMS: That is for your protection.

MR. NEARY: That is for the protection of hon. gentlemen on the other side, Mr. Speaker.

MR. NEARY: Mr. Speaker, we will wholeheartedly support this bill, but in so doing, we have to say that this will not put bread on the tables of the ordinary people in this Province who are without jobs, people who are faced with high electricity bills, people who are faced with high taxes, people who are unemployed, especially young people, Mr. Speaker. It will not help the crisis in the fishing industry, the crisis in Labrador West, Corner Brook, Buchans, the Baie Verte Peninsula, Bell Island, Goose Bay and all the other areas of Newfoundland that are on the misery list, Mr. Speaker. This is the kind of insignificant legislation

MR. NEARY: that we are forced to debate in this House. Possibly, as the hon. gentleman says, it may be essential, but I have grave doubts about that. In this whole session, Mr. Speaker, this is the kind of legislation we have been forced to debate. They will not give us anything to get our teeth into, they will not produce any plans to deal with the horrible state of the Newfoundland economy, they will not lay anything on the table of the House to stimulate the Newfoundland economy or to deal with record unemployment in this Province. This is the kind of nonsense, Mr. Speaker, all during this session of the House that we have been forced, by hon. gentlemen there opposite, to debate. So, Mr. Speaker, I would say that the sooner we dispose of this the better and let us get on to something more positive and constructive that will help the people of this Province.

MR. CALLAN: Mr. Speaker.

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

MR. CALLAN: Mr. Speaker, I want to have a few words on this Bill 57, 'An Act To Remove Anomalies And Errors In The Statute Law.' It says, "The purpose of this Bill is to bring before the Assembly matters in statute law that require legislative correction." Mr. Speaker, as long as the minister is on housekeeping bills, and as long as the minister is dealing with errors in the statute law, perhaps I may suggest a couple of other amendments or perhaps new bills that at least should be brought in to this Legislature. For example, one of them, Mr. Speaker, concerns a constituent of mine who was accused by a wildlife officer of taking moose in an area.

MR. CALLAN: that he did not have a licence for, that was the accusation, the gentleman went to court, Mr. Speaker, it cost him \$1600, and the case was dismissed. Then the Department of Justice, not satisfied with that, appealed the decision. The case went before the court a second time and was dismissed again. Mr. Speaker, not only did this cause great inconvenience, great embarrassment for him and his family, but it cost him \$1600 out-of-pocket when obviously, Mr. Speaker, the whole thing was predicated on wrong information, information that did not stand up in a court of law, and it did not stand up in the appeal process as well.

So, Mr. Speaker, when we are talking about amendments and housekeeping bills, obviously there are many, many other examples of -

MR. MARSHALL: Anomalies.

MR. CALLAN: - we are talking about errors as well, and we are talking about bills and about laws that are unfair to people in this Province.

Mr. Speaker, while I am on the topic, I might suggest another possible -

DR. COLLINS: Read the bill. Read the bill.

MR. CALLAN: I read the bill.

DR. COLLINS: Read it again.

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

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

MR. MARSHALL: Mr. Speaker, if the hon. gentleman has any particular concerns about his constituents, any injustices that he feels have been visited upon his constituents, all he has to do is advise the Minister of Justice (Mr. Ottenheimer), and the Minister of Justice will respond to it. The hon. gentleman may from time to time

MR. MARSHALL: have injustices that he feels should be brought up in the House, but they should be brought up at the proper time.

Mr. Speaker, this bill relates to anomalies and errors in legislation and it brings before the House the particular errors that are here.

MR. CALLAN: That is right.

MR. MARSHALL: Well, the hon. gentleman is in bringing up matters that he feels should be in it, but are not anomalies or errors. What he seeks to do is to have a redress of some grievance which he is advancing, so he is the nature of Address in Reply. If the hon. gentleman wants to bring any particular grievances to my colleague's attention, I am sure he would be quite prepared to look into them. But in the meantime I do not think it is appropriate to be debating it under the heading of this particular bill.

MR. SPEAKER (Aylward):

Order, please!

To that point of order,
the hon. Leader of the Opposition.

MR. NEARY:

Mr. Speaker, obviously
the hon. gentleman is rather testy today,

MR. CALLAN:

He wants to get the House
closed.

MR. NEARY:

Yes, the hon. gentleman is
anxious to get the House closed.

We are debating Bill No. 57,
Mr. Speaker, The general title
of this bill is, "An Act To Remove Anomalies And Errors
In The Statute Law". My hon. colleague is raising a couple of
items that he thinks should be included in any future bills
that are brought into this House. He is making suggestions,
observations and recommendations to the Minister of Justice
(Mr. Ottenheimer) and to the Minister responsible for Culture,
Recreation and Youth (Mr. Simms) on the government benches,
and I think my hon. friend should be allowed to carry on
uninterrupted, Mr. Speaker.

MR. SPEAKER (Aylward):

To that point of order.

I have to rule that there is a point of order. The hon.
member might well have specific cases that he would like
brought up. I would suggest that they could be brought
up in a wider debate such as the Address in Reply or the Budget
debate. If he has any further comments on the specifics
of this bill, I certainly will hear them.

The hon. President of the
Council speaks now he will close the debate.

MR. MARSHALL:

I want to refer to what
the hon. gentleman said. You cannot allow what the hon.
gentleman said to go unanswered no matter what the lateness,
if there is any lateness of the occasion. There have

MR. MARSHALL: to be times with any efficient operation of a government, as an efficient operation of a household, where there have to be bills of this nature that correct anomalies or errors. The hon. gentleman should not paint this session as being one that has not been full of meaningful legislation, as well as a meaningful Budget and a meaningful Throne Speech. We have had the advisory council on the economy bill enacted, we had a bill yesterday that related to the Petroleum and Gas Act, and we have other measures that are before this House and have already been considered that are going to have a real impact on the people of this Province.

Just because we pass one bill which is necessarily a housekeeping bill is not an indication that this session and this sitting of the House has not been one that has been full of very positive measures which are beneficial to the people of this Province.

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

On motion, a bill, "An Act To Remove Anomalies And Errors In The Statute Law", read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 57).

MR. MARSHALL: I move the House resolve itself into a Committee of the Whole, Mr. Speaker.

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

COMMITTEE OF THE WHOLE

MR. CHAIRMAN (McNicholas): Order, please!

MR. MARSHALL: Motion 2, Bill No. 48, Mr. Chairman.

MR. CHAIRMAN: Order, please!
Motion 2, Bill No. 48.

DR. COLLINS: Mr. Chairman.

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

DR. COLLINS: Mr. Chairman, under this motion we are debating the resolution, "That it is expedient to bring in a measure further to amend The Loan and Guarantee Act, 1957, the Act No. 70 of 1957, to provide for the advance of loans to and the guarantee of the repayment of bonds or debentures issued by or loans advanced to certain corporations." In a word, Mr. Speaker, each year the government has to report to the House any loans or guarantees it entered into since the last report. These loans are contingent liabilities on the Province, they are part of the indirect debt of the Province and they are laid out in the bill, Mr. Speaker. I would comment on one or two of them and, of course, if hon. members wish, I would be glad to answer any questions on the others but it will be noted that in regard to Marystown Shipyard and the Denominational Committees and the Computer Services, government had previously given these organizations letters of assurance which are somewhat less than formal guarantees.

DR. COLLINS: The Auditor General raised some question about whether government should have a practice of giving letters of assurance, because strictly speaking they were contingent liabilities, and if they were contingent liabilities why not make them formal guarantees. Mr. Chairman, that is what we have done in regard to those three organizations. We have converted what were essentially letters of assurance into formal guarantees behind which the Province stands. Many of the others relate to the fisheries, Mr. Speaker, where government stood behind certain fishing operations, particularly in terms of their working capital. As hon. members know, many of the fishing operations in this Province have obligations towards the fishermen who supply them raw product, and they have to discharge those obligations to the fishermen sometimes before they obtain revenues from their outlets, where they sell their product. And during that intervening period they have a need for working capital and they go to the banks typically for that working capital, and the banks frequently ask them to have the government stand behind them during that brief period, between the time when they pay the fishermen and the time when they get their revenues in, and some of these guarantees are of that nature.

I think those are essentially the main points, Mr. Chairman, but if there are any other issues that arise I will be glad to try to answer them. So I move the resolution.

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

MR. NEARY: Mr. Chairman, it is obvious that the strategy now of the administration is to clean the deck before we get to Bill 59 where hon. gentlemen there opposite anticipate that we are going to dig in for the next couple of weeks. What they are doing now is they are clearing the deck, Mr. Chairman, leaving Bill No. 59 until last. The House

MR. NEARY: There is going to be a gigantic struggle. We will hang her down if we have to. We realize, Mr. Chairman, that there are forty-four against eight and they can outvote us and there is a limit, I suppose, there is a limit to how long we can debate. But we will debate as long as is necessary. They can clear the deck all they want, Mr. Chairman, and make way for the Minister of Labour and Manpower (Mr. Dinn) to bring in this anti-labour piece of legislation, this obscene bill that the hon. gentleman is going to bring in, Mr. Chairman, this insidious piece of legislation that the hon. gentleman is going to introduce now as soon as we get all the bills through Committee and get the Loan and Guarantee Act passed.

Now, Mr. Chairman, in connection with the Loan and Guarantee Act, on item number one, I would like to ask the hon. gentleman a question or two: Blue Ocean Products Limited - \$25,000, a loan guarantee to Riche Foods of Canada Limited; this guarantee allowed Blue Ocean Products Limited to purchase the plant at Branch from Newfoundland Quick Freeze Limited.

Now, it is my understanding, Mr. Chairman, that when the government entered into this deal to dispose of Newfoundland Quick Freeze, they gave the money to the company, they put up the capital necessary for the company to purchase Newfoundland Quick Freeze and then they also gave the company \$300,000 or \$350,000 operating capital. Now, Mr. Chairman, we were told in this House, I believe by the Minister of Fisheries (Mr. Morgan), that the reason the administration entered into this arrangement was so that the new owners of Newfoundland Quick Freeze could renovate the plants that they had like the one in Branch. We were told that was the whole idea of giving this loan and guarantee to the

MR. NEARY: new owners of Newfoundland Quick Freeze, so that they could renovate and upgrade the plants in Branch and St. Bride's.

Now, Mr. Chairman, what did the new owners of Newfoundland Quick Freeze do with these two plants? What did they do with the plants? They disposed of them. So, as far as I can see, Mr. Chairman, there is a breach of an agreement here. Now we have Blue Ocean Products, another company, asking for \$25,000 to purchase the plant at Branch, to buy the plant from the new owners of Newfoundland Quick Freeze, who have already been given

MR. NEARY: money to operate these plants, the one in Branch and the one in St. Bride's. So what are the new owners of Newfoundland Quick Freeze doing now are they just operating the one plant at Bay Bulls? Is that what they are doing? Mr. Chairman, I believe the Minister of Finance (Dr. Collins) owes it to this House to straighten us out on this matter. Somebody is pulling the wool over somebody's eyes here. The Minister of Fisheries (Mr. Morgan) will recall telling us about this deal. Cape Pine Fisheries I think is the new name of the company. Cape Pine Fisheries purchased the assets of Newfoundland Quick Freeze and the money was put up by the taxpayers of this Province and then they were given \$300,000 or so working capital and the deal was that they had to keep these two plants, Branch and St. Bride's, intact and operate these plants as well. Last year the plant in St. Bride's became the subject of controversy because the Cape Pine Fisheries did not want to operate it and they farmed it out to a new operator. They entered into some kind of a deal with a new operator and they farmed it out, even though they were given government loans and guarantees and grants to operate that plant. There is something wrong here, Mr. Chairman, and I would like to hear the hon. Minister of Fisheries comment on this matter.

MR. MORGAN: Mr. Chairman.

MR. CHAIRMAN (McNicholas): The hon. the Minister of Fisheries.

MR. MORGAN: Mr. Chairman, for clarification on that item on Blue Ocean Products, the guaranteed loan for that company, the plant at Branch was not owned by Newfoundland Quick Freeze when they went into voluntary liquidation or receivership, call it what you wish,

MR. MORGAN: the plant was owned by the Newfoundland Government. However, there was equipment in the plant that was placed there to enable the operation to continue at the time it was leased to Newfoundland Quick Freeze. When Newfoundland Quick Freeze went into voluntary liquidation, and we tried to find buyers or a buyer to buy the assets of Newfoundland Quick Freeze, in this case Blue Ocean was the company that was interested in moving in to operate, this plant under a leased basis from the Newfoundland Department of Fisheries, the plant at Branch.

MR. MORGAN: This \$25,000 here is in connection with the plant at Branch, owned by the Newfoundland government. It was earlier leased to Newfoundland Quick Freeze, when Quick Freeze went into liquidation the new company moved in and they wanted to acquire the equipment in that plant. This was the main purpose, in fact, the purpose for that loan guarantee. Riche Foods of Canada, of course, is the principal owner of Newfoundland Quick Freeze as it was called, and the assets were purchased by, in fact, three different companies. Blue Ocean was only one player at Branch, they only took the Branch operation and that was, as I say, just the equipment in the plant, the plant is owned by the Newfoundland government. At St. Bride's, Cape Pine Fisheries took it over.

MR. NEARY: And last year they did not operate.

MR. MORGAN: And last year they did not operate, that is right, there was a real problem there. And this year Cape Pine Fisheries is in the process of selling that plant at St. Brides and having a new owner operate the facility. But at Branch the situation is a bit different, as I just said. And at Witless Bay the plant again is owned now by Cape Pine. Cape Pine took St. Bride's, took Witless Bay - my colleague from that district is not here in the House - I am sure those are all the operations they took over. The one at Dildo which was also owned by Newfoundland Quick Freeze, was taken over by a company called Atlantic Fisheries. And, in fact, one of the principals of this new company was an earlier employee of Newfoundland Quick Freeze. So this \$25,000 guarantee to Blue Ocean was for the equipment at Branch which was owned by Riche Products, in other words, Newfoundland Quick Freeze, and was being installed in a plant owned by the Newfoundland government. And this loan guarantee covers the acquisition of that equipment by Newfoundland Quick Freeze.

MR. MORGAN: Cape Pine Fisheries got a similar loan guarantee last year as was mentioned by the Leader of the Opposition (Mr. Neary), for the other parts of the operation - St. Bride's and Witless Bay. However, in St. Bride's they had a problem that is being ironed out now. But as for the other parts of the Newfoundland Quick Freeze assets there seems to be no further problem.

MR. NEARY: Mr. Chairman.

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

MR. NEARY: Mr. Chairman, I wonder if the hon. minister could tell the House if Cape Pine Fisheries have received any loan guarantees in this fiscal year?

MR. NEARY: Before the election they were given grants and loans and guarantees to purchase the Newfoundland Quick Freeze Operations and to operate these two plants. Have they received any loans and guarantees this year?

MR. MORGAN: Mr. Chairman.

MR. CHAIRMAN (McNicholas): The hon. the Minister of Fisheries.

MR. MORGAN: Mr. Chairman, I assume we are dealing just with the items here, which are listed. Of course it is obvious that the Cape Pine Fisheries is not listed in this Loan and Guarantee Act, which covers the loan guarantees during the past year, but I will answer the question. The question is that the company, Cape Pine Fisheries, has indeed applied for assistance from the Newfoundland Government recently in the form of a government guaranteed loan and that application is being processed by the Newfoundland Government through the three Departments, Fisheries, Finance and Development. The application is being processed and they are asking for -

MR. NEARY: How much are they asking for?

MR. MORGAN: I do not know the exact amount but if I recall it is in the vicinity of \$150,000 to \$200,000 -

MR. NEARY: But it has not been finalized yet?

MR. MORGAN: - asking for that kind of assistance to enable them to operate as a company, to operate groundfish operations and to tie into the Witless Bay plant. And at the time the decision was made, of course, for the Cape Pine Fisheries the Cabinet decided that a crab processing licence would be issued to that company to make the plant at Witless Bay viable, because from the information received from Newfoundland Quick Freeze the plant would never be viable on groundfish. The company was granted a crab processing licence and that licence was not utilized last year because they were getting the plant renovated and equipment installed etc.. So it is primarily for the purpose of getting

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MR. MORGAN: a start-up on the operations
which were not in operation last year, earlier owned by
Newfoundland Quick Freeze.

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

MR. NEARY: Mr. Chairman, I understand
from the hon. gentleman that there has been no decision on
that application yet. Is that what the hon. gentleman said?

MR. MORGAN: It is in the final stages.

MR. NEARY: It is in the final stages?
It looks like it will be approved. Any other loan and guarantees
on the table at the present time, could the hon. gentleman tell
us?

MR. CHAIRMAN: The hon. Minister of Fisheries.

MR. MORGAN: Mr. Chairman, there are a
number of our inshore companies that found themselves in
some financial difficulty last year which we assisted by
giving out government guaranteed loans , in fact, I think a
total of something like sixteen or seventeen companies operating
individual plants and operations. And there are a number
now, but the number is much smaller. I think there are only
three or four, or four or five - I think there are four maximum
companies -

MR. NEARY: Who are they?

MR. MORGAN: - that have applied - I do not
think it is fair at this time, really, for us to mention their
names. They made application in a sincere way. They found
themselves in financial difficulty. We will assess the
applications on their own merit, and will use some very strict
criteria with regards to giving them assistance, the same
way as we set down the criteria last year. If the
companies meet the criteria, they will be judged on their own
individual merit and assistance put forward accordingly. But

MR. MORGAN: it will be only on the basis that we feel that these companies can survive in the future on their own. They have had a difficult year, or the last two years in particular.

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

MR. NEARY: Well, Mr. Chairman, it looks to me like we will have to wait until next year before we can find out who is going to get any guarantees or loans from the government in this fiscal year.

Mr. Chairman, the hon. gentleman would be perfectly within his right to tell the House who has applied for these loans and guarantees and how much they have asked for. There is nothing wrong with that. The hon. gentleman there a couple of weeks ago told us that within ten days Fishery Products would be bankrupt. And if the hon. gentleman can make a statement like that outside of the House, certainly the hon. gentleman could give the House information as to how he intends to spend taxpayer money, how he

MR. NEARY: intends to use the taxpayer dollar, Mr. Chairman. I am going to ask the hon. gentleman, again, would he care to list the companies that have applied for government loans and grants and guarantees and give us the amounts?

MR. MARSHALL: If I may, Mr. Chairman -
MR. CHAIRMAN (McNicholas): The hon. President of the Council.

MR. MARSHALL: - just before the hon. gentleman gets up, the Minister of Finance (Dr. Collins), wished me to introduce an amendment to Clause 1 of the bill, It is a substantial amount of money. It is no small change. But I move that Clause 1 of Bill 48 be amended by adding immediately after Item 11 the following, Item 12.

MR. NEARY: After item what?

MR. MARSHALL: After Item 11, the following, "Item 12, Newfoundland and Labrador Computer Services - \$2 million." The purpose for this, Mr. Chairman, is the previous \$2 million in the act is with respect to the guarantee that was given, but this is with respect to the long-term debt because the government wishes to put this Crown corporation, which has been a very effective corporation and is performing so well on a firm, solid foundation, and to supply it with the adequate funds on a long-term basis. So I move the amendment.

MR. NEARY: \$4,600,000, right?

MR. MARSHALL: Well, it is \$2 million for the guarantee, \$2 million direct borrowing by Computer Services.

MR. CHAIRMAN (Aylward): The hon. Minister of Fisheries.

MR. MORGAN: Mr. Chairman, just to comment further on the applications by the fish companies for assistance: Of course, as will be the case, any guaranteed loans we approve and any funds we put forward under the restructuring would all have to be brought forward to the House of Assembly upon the first opportunity after these transactions are made. So the companies that have made application now, again I say I do not think it would be fair to the companies to mention their names, not knowing whether or not we are going to assist them, if we have not made decisions.

MR. NEARY: How about the total figures that they are asking for?

MR. MORGAN: Well, the amounts involved are amounts ranging from \$50,000 up. I think the highest would be \$300,000, in that range. The amounts involved in the applications show the size of the companies. They are inshore companies wanting some financial assistance to tide them over and get them going for the inshore fishing season this year, because of some difficulties in the marketplace or their marketing procedures and, in some cases, over-expansion of their capital by using their own funds and not borrowing money to do it, and these kind of things, and wanting for an interim period some financial assistance.

Now, let me say one thing about the comments I have made about the fish companies, including Fishery Products. I think it is obvious to everybody in Newfoundland who follows the fishing industry that those large companies, all of them, cannot carry on on their own, so any company which cannot carry on on its own, what do you call it? You can call it technically bankrupt, you can call it almost in receivership, you can call it almost bankrupt, you can call it what you wish, what technicality or term you use. If it is unable to carry on on its own as an individual private enterprise company without the requirement of massive amounts of taxpayers' dollars, well, I do not know what you would call it, you can call it what you wish, bankrupt, technically bankrupt, almost in receivership, almost bankrupt. And I make no apologies for any statement I have made in the past with regard to that company or other companies. The fact is, the last two or three weeks, this government and the federal government have spent much time on the restructuring of the fishing industry and determining what to do with regard to government assistance and how to put in the government assistance. What will happen to the existing shareholders: Shall we reward the existing shareholders or shall we dispose of them? Shall we put money into a company and say, 'Yes, carry on, company, do the things you want to do and here is the money to do it,?' Or shall we step in as governments and say, 'Look, if we are going to put the taxpayers' moneys in here, we are going to have a say as to how things are being done,?' - with the strong possibility that the people themselves, the workers through their unions, will have a say. I am not adverse at all to the position

MR. MORGAN: of having the workers have a say in the fishing industry through the Fishermen's Union. I have had meetings with Mr. Cashin on this, the last two or three weeks in particular and earlier than that, and he is quite aware of the Newfoundland Government's position that we would welcome the role of the union in participation in the restructuring and in the end result, participation in having a say as to what happens to that very important sector of the fishing industry, the deep-sea fishery.

So, Mr. Chairman, in concluding my brief comments on this item, the loan guarantees we are talking about today are for the smaller companies, in fact, the companies who, in most cases, keep the industry alive. And once in a while they come across a situation where

MR. MORGAN:

they will need some interim, temporary financial assistance and we give it to them in guaranteed loans. But I will say again that in the restructuring of Fishery Products, the Lake Group and John Penny and Sons and others, the large companies, they are going to need more than government guarantees, they are going to need some massive injection of funds. I think that is all I can say today with regards to what is happening on the restructuring, but it is obvious that these companies I just mentioned, those three in particular, they will not be around to operate, they will not be there as separate corporate structures as they are now today without massive government dollars to keep them going in the future.

MR. NEARY: Mr. Chairman.

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

MR. NEARY: Mr. Chairman, we are well aware of course that it will take a mass infusion of dollars for restructuring. That money will come from the Government of Canada. I heard a figure flung out the other day of \$400 million. The Government of Canada we were told in a public statement - and I do not remember now who it was that said it; I believe that it was somebody in Mr. De Bane's office said it - that it will take \$400 million to restructure the deepsea fishery and to carry out the recommendations of the Kirby Task Force. Now that is a lot of money, \$400 million, from the Government of Canada. We have not seen any evidence yet of what this administration intends to put up to match that. Will it be 90/10, 75/25, dollar for dollar? We have no idea at this moment what the input of the provincial government will be as far as the restructuring is concerned. I know we cannot debate the restructuring now, Mr. Chairman, I would love to be able to debate it, but we are well aware of

MR. NEARY: the implications of it, but the hon. gentleman just raised it so I could not resist commenting on it. I would like to have a debate on it now. I would like to find out what is going on with the restructuring. The people down in Burin have been there now for about five or six months, the plant has not been working, the trawler fleet is tied up, there is fish in the plant that needs to be sold, the people are frustrated, they are running out of unemployment insurance, so I would love to be able to debate this matter with the hon. gentleman but on this bill I regret that we cannot do it. So I will come back to the Minister of Finance (Dr. Collins) and ask the Minister of Finance if he could tell the House if any of these companies that are listed, Greenspond Fish Processors, Smith's Seafoods, White's Fisheries Limited, Pelley Enterprises Limited, Halls Bay Haulout Limited, if any of these companies have had previous loans and guarantees. If so, could he tell us which ones and could he also indicate to the House which ones are up to date on their payments and which ones are behind in their payments?

DR. COLLINS:

Mr. Chairman.

MR. CHAIRMAN (Aylward): The hon. Minister of Finance.

DR. COLLINS: Mr. Chairman, these companies received guarantees. I am just reviewing now to see if any of them received direct loans, but I think I can say with certainty, Mr. Chairman, that they did not, it was guarantees. In other words, they borrowed from other lenders, i.e., banks usually, and then we gave a guarantee. So they would not have commitments to us unless the bank called in the loan.

MR. NEARY: If the government was called on to pick up the tab.

DR. COLLINS: Yes, that is right. Now the government has been called in terms of Blue Ocean. We gave a guarantee there of \$25,000 and we were required to honour our commitment to the bank in terms of somewhat less than that, I think it was between \$18,000 and \$20,000. That was converted into a direct loan, therefore, to the company. In other words, there was a difficulty arose with their payments to the bank, the bank quite properly came to government because we were guaranteeing it, we had to pay up the residual amount, it was not the full \$25,000, and the residual amount we had to honour was converted into a direct loan to Blue Ocean. So Blue Ocean now has the obligation directly to government.

MR. NEARY: What other companies?

MR. COLLINS: We gave an extension on the guarantee to Smith Sea Foods.

MR. NEARY: Smith Sea Foods?

DR. COLLINS: Just an extension, the guarantee was for a year, we have extended it for a further year since then. And in White's, there was an additional guarantee given later on.

MR. NEARY: How much?

DR. COLLINS: The additional guarantee was for \$100,000

MR. NEARY: So they are up to \$300,000 now?

DR. COLLINS: \$300,000

MR. NEARY: Are they up to date on their payments?

DR. COLLINS: Well, all I can say is we have not be asked by the banks to honour the loan in any way.

MR. NEARY: How recently did they put it up to \$300,000?

DR. COLLINS: That was for 1983. That was for last year.

MR. NEARY: This year you mean?

DR. COLLINS: Yes, for this season.

MR. NEARY: So it is not due yet, in other words?

DR. COLLINS: No.

MR. NEARY: So we do not know whether they are going to default on it or not?

DR. COLLINS: Well, hopefully they will not but we do not know, no.

We had a request for extension on Hall's Bay Haulout but we did not extend there.

MR. NEARY: What happened there?

DR. COLLINS: We reviewed the request for extension and we felt that we did not want to extend it any longer.

MR. NEARY: Did they honour their commitment or did government have to pick up the tab?

DR. COLLINS: To my knowledge we have not had to pick up any tab on that one.

MR. NEARY: Mr. Chairman.

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

MR. NEARY: Mr. Chairman, we are getting somewhere now. We have discovered that Blue Ocean Products Limited had to have their guarantee converted to a loan, that they

MR. NEARY: could not honour their commitment and therefore there has to be a manoeuvre take place and not it is being converted to a loan. I presume that is recent?

DR. COLLINS: Yes. It was not so much that they could not honour it, but they did not honour it. There was a difficulty between themselves and the bank. It was not a case of just losses in the company, it was a difficulty between themselves and the bank. The guarantee ran out so we converted the thing into a direct loan.

MR. NEARY: So the guarantee ran out and then the payments, which amounted to \$18,000 the hon. gentleman said, had to be paid by the taxpayers. Now when the guarantee was converted to a loan did the \$18,000 then go back into the Public Treasury or did the loan just start from the day it was negotiated?

DR. COLLINS: It just started from that day.

MR. NEARY: So that means that the taxpayers are out-of-pocket on Blue Ocean Products \$18,000 so far. Is that correct?

DR. COLLINS: Yes, that is right. Except we have a loan against them now.

MR. NEARY: You have a loan against them?

DR. COLLINS: Yes.

MR. NEARY: But so far we are out-of-pocket \$18,000.

DR. COLLINS: Correct.

MR. NEARY: And no guarantee that we will recoup that \$18,000. Now will the hon. gentleman tell the House what -

MR. MORGAN: No.

MR. NEARY: The Minister of Fisheries

(Mr. Morgan) says no.

MR. MORGAN: No, we are not out-of-pocket.

MR. NEARY: Yes, we are. The taxpayers paid off \$18,000.

DR. COLLINS: It is a loan against the company now.

MR. NEARY: They could not meet their commitment on the guarantee so the taxpayers had to pay \$18,000 and then the government converted it to a loan to the company.

DR. COLLINS: Right.

MR. NEARY: Was the loan then \$7,000 or was it \$25,000?

DR. COLLINS: No, the residual amount, the \$18,000.

MR. NEARY: I see.

Now would the hon. gentleman tell the House what equity the government took in this company for this \$25,000 loan? Or did they take any equity? Or do we have a mortgage on any of the equipment or assets of that company and, if so, what kind of mortgage do we have, a first or a second mortgage? Can the hon. gentleman give us some information on that?

MR. MORGAN: Mr. Chairman.

MR. CHAIRMAN (Aylward): The hon. Minister of Fisheries.

MR. MORGAN: All of the loans that we have made to fish companies, including Blue Ocean, our exposure has been covered by means of mortgaging either the fixed assets, the plant facilities, in the case of this one, Blue Ocean, its equipment. So we hold a mortgage on the equipment.

MR. NEARY: But we own the equipment already.

MR. MORGAN: The loan is directly with the company as a result of their default to Riche Products or Newfoundland Quick Freeze. So our exposure is covered by means of a mortgage on the equipment that is in the plant that they used the money to buy from Newfoundland Quick Freeze.

MR. NEARY: But who owned the equipment at Branch?

MR. MORGAN: The equipment was owned by Riche Products. Riche Products have now been paid and we have a loan now with Blue Ocean because of their being in default to Quick Freeze and we now hold a mortgage on equipment that was used to purchase from Quick Freeze, the plant.

MR. NEARY: That is fine, Mr. Chairman,

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

MR. NEARY: Now could the hon. gentleman tell us in the case of the other companies, Smith Seafoods, White's Fisheries, Pelley Enterprises, and Hall's Bay Hallout, do we have mortgages on the assets of these companies or do we have an equity position in the company? Could the hon. gentleman tell us what the situation is here?

MR. CHAIRMAN: The hon. Minister of Finance.

DR. COLLINS: Mr. Chairman, when we give a guarantee we use three criteria, Firstly, that there is adequate security to cover our guarantee in case we have to honour it; secondly, that the company has every expectation of being viable, in other words, the resources available to them, they have operating capital, they have sufficient markets and all that sort of thing, in other words it is financially viable; and the third point is that they have management capabilities. So we assess these plants on those three bases and, as I say in particular, answering the question the hon. Leader of the Opposition (Mr. Neary) asked, we have security covering our guarantees, usually, as the hon. minister says, against fixed assets such as a plant or equipment. So I move the resolution.

On motion resolution carried.

MR. NEARY:

Mr. Chairman.

MR. CHAIRMAN (Aylward):

The hon. Leader of the Opposition.

MR. NEARY:

I just want a moment on Newfoundland Computer Services. That is now up to \$4.6 million. Can the hon. gentleman tell us if there is any revenue via Newfoundland Computer Services? I have not checked the budget but there must be revenue coming in. Could the hon. gentleman tell us if he anticipates that this might increase in the foreseeable future?

MR. CHAIRMAN:

The hon. Minister of Finance.

DR. COLLINS:

Mr. Chairman, there is no direct revenue to the Consolidated Fund from Computer Services because they have a debt to service and they obviously charge for

DR. COLLINS:

their services, they charge both government departments and government agencies and also the private firms to which they supply services and they get revenue from those sources. But they do have expenditures and they have to service their debt, so the consolidated fund, up to this point in time, does not actually receive any dividends or other forms of revenue from Computer Services.

I might mention, Mr. Chairman, just in clarification of the reason why we put in the amendments, the guarantee that is stated in the bill as circulated covers the \$2.6 million which was on the original building and the original equipment. Computer Services, because of the nature of the operation, has further capital requirements ongoing and they will now get into long-term financing of those ongoing requirements, purchasing computers and so on, and they will require \$2 million for this. So this amendment we are bringing in, Item 12, is a guarantee to cover those new long-term capital investments they are going to make to increase their capability.

MR. NEARY: Mr. Chairman.

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

MR. NEARY: I want to raise this matter. It seems to me there was a case recently in the House of Commons where a bill was changed between the time that it had first reading and the time it went to second reading. Now, I can understand amending any of the items that are on this bill, but I believe under the parliamentary rules that it is not permissible to change a bill between the time it receives first reading and the time it goes to second reading.

MR. NEARY: Well, by this amendment you are adding a new amount, you are adding a new subhead to this bill and I do not think that is permissible, Mr. Chairman. I would say that this bill right now is null and void.

MR. MARSHALL: Mr. Chairman.

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

MR. MARSHALL: Not so. The way in which bills of this nature, which are monetary bills, are introduced is by way of resolution, and the resolution goes to Committee and you do not commit the bill

MR. MARSHALL:

to Committee after the resolution has been passed as you do in the case of other bills, so there is not the opportunity to amend it. So what you do is you amend, in effect, the resolution and the amended resolution brings into effect the bill for first, second and third reading. It is entirely in order, it is done over and over again, and this is the accepted method of doing it with respect to monetary bills. And that is why we have to leave the amendment in, because it is only into Committee once.

MR. NEARY:

But it is the first time I have seen a new subhead added to the bill. That has never been done before.

MR. MARSHALL:

Well, I believe it has, Mr. Chairman. I am quite sure it has. It is in order and it is the practice and if there is to be any amendment it has to be really at this stage.

MR. NEARY:

But you can only amend the items in the bill.

MR. MARSHALL:

Well, you know.

MR. CHAIRMAN (Aylward):

Order, please!

To that point that the hon.

the Leader of the Opposition (Mr. Neary) raised, it is my information that the amendment is in order,

MR. NEARY:

Could you research that and check it out?

MR. CHAIRMAN:

The amendment is in order. It has been looked after.

On motion, amendment carried.

On motion, clause 1 as amended, carried.

On motion, clause 2, carried.

On motion, resolution carried.

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

MR. MARSHALL: Mr. Chairman, I move that the Committee rise, report progress and ask leave to sit again.

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

MR. SPEAKER (Russell): Order, please!
The hon. the member for Kilbride.

MR. AYLWARD: Mr. Speaker, the Committee of the Whole have met and considered the matters to them referred and report having passed a resolution and recommends a bill consequent thereto be introduced to give effect to the same and ask leave to sit again.

On motion, report received and adopted, resolutions ordered read a first and second time now, by leave.

RESOLUTION

That it is expedient to bring in a measure further to amend The Loan and Guarantee Act, 1957, the Act No. 70 of 1957, to provide for the advance of loans to and the guarantee of the repayment of bonds or debentures issued by or loans advanced to certain corporations.

On motion, resolution read a first and second time.

On motion, a bill, "An Act To Amend The Loan And Gurantee Act, 1957", read a first, second and third time, ordered passed and its title be as on the Order Paper. (Bill No. 48).

MR. MARSHALL: Order 43, Bill No. 59.

Motion, second reading of a bill, "An Act To Amend The Public Services (Collective Bargaining) Act, 1973." (Bill No. 59).

MR. DINN: Mr. Speaker,

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

MR. DINN: Mr. Speaker, we have proposed in this bill

MR. DINN:

several amendments to the Public Service (Collective Bargaining) Act. I would like to, if I could, go through the different sections so that hon. members will understand what we are attempting to do here. Section 2 of the act now defines an employee for the purpose of collective bargaining, the amendment defines persons excluded from collective bargaining either directly or by the Labour Relations Board. The exclusions start at Section 2 (viii), Page 6 of the Amendment. Mr. Chairman, I can go through these different items. I will be, of course, going through all the different changes when we are in committee, then we will be going through clause by clause but basically starting at Section (viii) it says that it "does not include a person who is employed in a position confidential to the Lieutenant-Governor, a Minister of the Crown, a Judge of the Supreme Court, a District Court Judge, a Provincial Court judge, the deputy, associate deputy or assistant deputy head of a department of government or a chairman or chief executive officer of a government board, commission or agency, (ix) who is employed as a solicitor in the Department of Justice or as a legislative counsel in the Office of the Legislative Counsel, (x) who is employed as an officer or staff-member of the House of Assembly, (xi) who is employed in the Executive Council, except persons employed in the establishment of the Lieutenant-Governor." The basic reason for that exception Mr. Speaker, is that there is a group in the Lieutenant-Governor's house now who are certified and of course we do not want to decertify anybody by these amendments. Section (xii), "who is employed in an employment opportunity program administered by a department of Government of the

MR. DINN: of the province for which monies are provided by the Government of the province, the Government of Canada or both Governments, (xiii) who is employed as a manager or supervisor or who, in the opinion of the Board " -the Labour Relations Board - "exercises management or supervisory functions, (xiv) who, in the opinion of the Board, is employed in a confidential capacity in matters relating to labour relations, or (xv) who, in the opinion of the Board, provides advice to the employer in relation to the development or administration of policies or programs." Section 2 is further amended to bring it in line with Section 99 of the Labour Relations Act.

MR. DINN: That amendment is on page 8 and provides that an employee does not lose his status as an employee as a result of a strike or a lockout. Mr. Speaker, many of the appropriate changes that we are bringing in here are to bring the Public Service(Collective Bargaining)Act into line with the Labour Relations Act. Section 10 requires that essential employees be in place before a strike vote or strike can take place. Hon. members will be aware that we had some difficulty with that over the past year or so and, as a matter of fact, had to bring in some special legislation to order essential employees. In this case what we want to do is to have the employer designate the numbers of essential employees that he would like to have and then, if there is a grievance or if there is a difference of opinion with the representatives of the employees, that a determination be made for essential employees before the Labour Relations Board.

Section 17 is a new paragraph and this section gives the minister authority to appoint a mediator and that provision is also in line with Section 80 of the Labour Relations Act. And hon. members are aware, and the hon. member for Terra Nova (Mr. Lush) particularly will be aware that during one set of negotiations when there was sort of an impasse during the collective bargaining process that he was demanding that the Minister of Labour and Manpower (Mr. Dinn) appoint a mediator. And at that point in time, of course, I did not have a provision in the Public Service(Collective Bargaining)Act where I could do that, but this allows for that provision.

Section 18 will allow members of the Labour Relations Board to be members of conciliation boards. And this is also, of course, in line with the Labour Relations Act. Basically what happened there, I think, if

MR. DINN: hon. members will remember the negotiations in the last agreement signed by the nurses and Treasury Board and the Hospital Associations, basically what happened there was we had some nurses who came under the Labour Relations Act and some who came under the Public Service (Collective Bargaining) Act and the agreement was that a member of the Labour Relations Board would be the appropriate person to assign as a conciliation officer. And that provision would not have been available to other groups in the public service and indeed would not be effective for some of the people in the Nurses' Union had we not had the opportunity under the Labour Relations Act to appoint at that time the current Chairman of the Labour Relations Board, Mr. Gordon Eason. So this will now allow for the minister to be able to appoint, or the parties to agree to appoint a person who is a member of the Labour Relations Board to be a member of the conciliation board.

MR. DINN: Section 18 is further amended to allow the minister to defer a request for the appointment of a conciliation board, and this happens in many sets of labour negotiations where, as an example, a request comes in for the appointment of a conciliation board and, in all cases, the minister appoints a conciliation officer to determine whether there should be a board appointed or not and he has basically fourteen days in which to operate. At the termination of that fourteen days, the minister then is forced to make a decision as to whether a board should or should not be appointed and, of course, you could have eighty or ninety items still up for negotiation and it becomes very difficult for the minister to decide, wanting to give both sides to the collective bargaining process the opportunity to either have or not have a conciliation board. For example, we had cases just recently under the Labour Relations Act where the employer's or the employees' representatives were not available to meet within the fourteen days and as a result of that, it is very difficult for a conciliation officer to determine whether a board should or should not be appointed and it is very difficult for him then to make his recommendation to the minister so we can then defer the appointment of the board. And we would be able to defer, in the case of the Public Service (Collective Bargaining) Act, the same thing with respect to employers and representatives of employees in these situations. And it aligns itself with Section 37 of the Labour Relations Act.

Section 23 will require unions to give an additional strike notice if the union does not strike on the date given in the first notice. The new date must be thirty days after the first notice.

MR. DINN: What we have here basically is the problem in hospitals of gearing up and gearing down to a point where hospitals cannot operate. And what we say here in the legislation is that you give a seven day notice in which you are going to strike or not strike and, if you do not take the option to strike, then there is an additional period of thirty days where you then give another seven day notice. And basically, that thirty days, I suppose, can be used for many reasons, one it could be used for, I suppose, is a cooling off period or whatever.

Section 24 will prohibit a rotation of strikes in health services. That is basically self-explanatory.

Section 37 permits an arbitration board, except in cases where a penalty is prescribed in a collective agreement, to alter the penalty imposed by the employer. What we basically have now is that an employer imposes a penalty of, say, firing, a person is terminated because he broke a section of the

MR. DINN:

collective agreement or what have you. At this point in time, when they go through the grievance procedure and they get to an arbitration board, the arbitration board can decide whether or not the person broke the collective agreement or in actuality did something that should not have been allowed, but they cannot alter the penalty. Now termination is a fairly severe measure for anyone to take. This provision will allow for the arbitration board to say, "Well, you know, it is severe to terminate an employee in this instance, what we will do is we will decrease that penalty so that the employee will be off without pay for, say, two weeks," which may be a more appropriate way to settle that kind of an issue.

The section is further amended to allow an arbitration board decision to be filed with the Supreme Court for enforcement, and that is also, of course, in line with Section 86 of the Labour Relations Act. Section 39 includes a successor rights provision as contained in Section 89 of the Labour Relations Act. Now this morning I met with representatives of the Federation of Labour, with representatives of CUPE and with representatives of NAPE, and there are several provisions that are in this legislation that they are not entirely happy with, and government will be proposing in Committee stage to make an amendment to this particular bill so that the Lieutenant-Governor in Council has the power to implement any particular clauses or all the clauses in this legislation. Because there has been a suggestion by the people who met with me this morning that there may be accommodations that can be made, for example, with respect to essential employees, for example, with respect to the determination of an employee or the definition of an employee, and we can proclaim or not proclaim certain sections of this act, subject to the

MR. DINN:

Lieutenant-Governor in

Council, on the basis of the fact that we can possibly renegotiate or negotiate better clauses that may be put into the Public Service (Collective Bargaining) Act say in the Fall session. So, Mr. Speaker, I want to make that fairly clear, or quite clear at the outset.

The amendment of Section 40 allows a person or organization to file a decision of the Labour Relations Board in the Supreme Court for enforcement. Section 43 provides for the Labour Relations Board panels to be established to deal with public service matters. And this, of course, is in line with Section 9 of the Labour Relations Act.

MR. DINN: Section 43 is further amended to provide authority for the Board to make rules to regulate the procedure to be followed by conciliation boards and to define the authority of the Board. And , of course, that amendment is also in line with the provisions in the Labour Relations Act.

Mr. Speaker, I have gone through most of the items that are going to be amended in this bill. Basically I have also indicated to hon. members that whereas the bill now goes to Section 14, we propose to add in the Committee stage a Section 15 which will basically say that the Act or any section or sections of this Act shall come into force on a day or days to be proclaimed by the Lieutenant-Governor in Council, which will allow us to, for example, proclaim some of the items that we have , a basic agreement with representatives of the unions whom I met with today and the Federation of Labour -

MR. NEARY: Are you giving it to them in writing?

MR. DINN: I am giving it to them in legislation and the amendment will come forward when it comes in -

MR. NEARY: You are asking to trust you?

MR. DINN: Mr. Speaker, I have no problem with asking anybody to trust me.

MR. NEARY: They were screaming for your resignation a couple of months ago.

MR. SPEAKER (Russell): Order, please!

MR. DINN: There has never been a problem with my word, and I do not anticipate that it will be a problem in the future.

MR. NEARY: What you are saying is you made a deal.

MR. DINN: The hon. member is interrupting and he knows that the rules of the House do not permit him to interrupt.

MR. NEARY: I am only asking you a question.

MR. DINN: I go back to, for example, February 12, 1967 an article in the Daily News which said, "Long-time labour officials Steve Neary and Tom Burgess took the spotlight when they aligned themselves with legislation prohibiting strikes in hospitals."

MR. NEARY: That is not now.

MR. DINN: The hon. member keeps interrupting. Of course, I have done quite a fair amount of research on what we are attempting to do here, what we are attempting to do is provide essential employees to protect the severely sick, the people in hospitals who are in danger of the possibility of death -

MR. NEARY: Tell us about the part where you are going to have discussions.

MR. DINN: Mr. Speaker, I can say to the hon. member I have no problem with people trusting my word. I do not know of any time in my life that I have ever broken my word to people. And if I have, it certainly was nothing of a serious nature. So, Mr. Speaker, I have given the hon. member and members of this House, representatives of the people of this Province, the fact that certain sections of this particular piece of legislation will not be proclaimed until further discussion can be held.

MR. NEARY: What were they against? What are the sections?

MR. DINN: Well, Mr. Speaker, the hon. member may not know it, but there are very important sections in this for which there is agreement. I think Section 43, for example, Section 40, Section 39, they are all pretty good sections. The successor rights one was indicated to me this morning by representatives of labour as not going far enough. We can have a look at that and maybe there is a possibility -

MR. NEARY: Can the hon. gentleman tell us the ones that have been agreed on ?

MR. SIMMS: All that detail will be done in Committee.

MR. DINN: We can go through all of these sections in Committee. I just gave the hon. member an example; the successor rights provision in the bill does not go far enough according to the people that I met with this morning.

MR. NEARY: What provisions?

MR. DINN: The successor rights provision.
I have listened to argument and discussion and understood some of the arguments, but there are problems with providing seccessor rights. I have said to the representatives there may be another clause that would

MR. DINN: be a better clause that we could put into the Public Service (Collective Bargaining) Act. Certainly the section of successor rights does not adversely affect members in the labour movement, who say it does not go far enough. We can have a look at that over the coming months to see what if anything can be done to improve that situation.

MR. NEARY: Give us a list of the clauses that have not been agreed on.

MR. DINN: Mr. Speaker, I am not going to get into what was or what was not agreed upon. There are problems which certain sections -

MR. NEARY: That is what we want to know before we can debate the bill.

MR. DINN: Mr. Speaker, I do not know if all members of the labour movement would be agreeable to any section in here. For example, I did not have an opportunity this morning to meet with representatives of the Nurses' Union, so they may have a look at this and say, 'We do not agree with any section of what you are proposing in the Public Service (Collective Bargaining) Act'. But, Mr. Speaker, there are sections that are good sections. The capability of appointing a mediator, I think is a good section. I think the capability of having a member of the Labour Relations Board serve on conciliation boards is a good section. I think the amendment which permits arbitration boards to vary penalties, if they think a penalty is too strong to decrease that penalty, I think is a good section.

MR. NEARY: Are you going to put a clause in there that you will not proclaim certain sections of the act? Can you tell us which sections?

MR. DINN: Well, that is going to be up to the Lieutenant-Governor in Council what sections are going to be proclaimed.

MR. NEARY: But you had a meeting this morning and you agreed with certain sections (inaudible).

MR. DINN: No, I did not, Mr. Speaker, I beg to differ with the hon. the Leader of the Opposition. I met this morning with representatives of the Federation of Labour, with CUPE and with NAPE and we went through the different sections and they agree with some and disagree with others. And what I did was I said, 'Okay, there are certain sections that you have problems with. If a clause can be put in that is better, well, we can have further discussions on it.' For example, essential employees, we can discuss that.

MR. NEARY: Are they happy?

MR. DINN: Well, they may never be happy, Mr. Speaker. I do not know if I can ever make everybody in the world happy. I do not know if anybody will ever be happy with the designation of essential employees, but I think it is necessary in health services that we have essential employees designated. So I do not know if we can ever arrive at that Utopian place where everybody on either side of the bargaining table is totally happy, but certainly we will do everything in our power to see to it that we can accommodate as much as possible, as much as is reasonable. And that is why we will be making an amendment -

MR. NEARY: What is the procedure now, that they will come back and negotiate these problems?

MR. DINN: There are certain sections, like successor rights, for example, that they have problems with, it does not go far enough.

I do not think proclaiming successor rights, as it sits in the bill now, will pose any problems, but the fact of the matter is there might be a better way of writing down that one section of the act.

MR. NEARY: Well, why not lay the bill on the table for six months and then bring it in in the Fall?

MR. DINN: Mr. Speaker, there are several problems with that: number one, we will be going into collective bargaining very soon with people in the health field and the fact of the matter is we have to have some sort of protection so that we can provide essential employees, and it could happen between now and the Fall. So these are the kinds of things that we have to think about. Number one, we have to have provisions whereby we can protect the health and safety of people who may be in hospital at that particular time, but we also have that capability -

MR. NEARY: But you have a formula now for getting essential -

MR. DINN: We have the formula now, Mr. Speaker, that has been in place since 1973 and has not worked.

MR. NEARY: But you are taking department by department, are you not, you are working on it.

MR. DINN: We have provisions in the Public Service (Collective Bargaining) Act right now that have now worked, are incapable of working, have not worked because they have gone to the courts; every time it is proposed it goes to the Labour Relations Board, it is appealed in the courts and it just does not work. And so we do not have a provision right now for essential employees and we have to have the capability of doing that. Now if nothing happens between now and the Fall, if we can come up with accommodations as we go along between now and then, then fine, we will sit down and we will talk about it and we will see what, if anything, we can come up with, and in that case we will not proclaim the essential employees. So this is about the most reasonable and sensible thing that can be done with respect to the proposed changes that we have before us in the Public Service (Collective Bargaining) Act.

So, Mr. Speaker, I would like to listen to the arguments proposed or put forward by hon. members opposite. I will be very attentive, I will write down their concerns and I will attempt to answer any concerns they may have when I move second reading of the bill. Thank you, Mr. Speaker.

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

MR. LUSH: Mr. Speaker, it is very difficult to know what to say about this rather insidious bill now after the minister just finished speaking. We have no guarantees as to what is going to happen to the controversial points in this bill and, believe you me, there are many controversial points. As a matter of fact, the whole bill is nothing but a controversial piece of legislation, the whole thing.

MR. LUSH:

Now the minister suggests that he is a man of his word. Well, Mr. Speaker, governments do not operate that way, that we just take the minister's word. A government operates collectively and the record of this government keeping its word has not been altogether perfect. This is the government, Mr. Speaker, that promised the people to develop the Lower Churchill, and we know the state of that word. This was the government that was going to open the oil refinery at Come By Chance in ninety days; we know what happened to that. This was the government that was going to provide 40,500 jobs for the people of this Province a couple of years ago, and, Mr. Speaker, they have lost that many, they are in a negative position. And the list goes on, Mr. Speaker, to demonstrate that the word of this government is not exactly to be taken rather easily.

MR. LUSH:

The same government that brought in this legislation today is headed by a premier who said that he believes in collective bargaining, but this bill certainly does not give proof of a government that believes in collective bargaining.

Also this same bill is the product of a government headed by a premier who said that he believed in consultation with the labour movement throughout this Province prior to bringing in legislation. Now it is my understanding that there has been absolutely no consultation with the labour movement in this Province about the content of this bill. They had no input into the bill, no input whatsoever, not one iota. Mr. Speaker, they knew nothing about his bill until late last week. The first indication that the labour movement in this Province had about this bill was last Friday. So, Mr. Speaker, so much for the taking of the word of the government.

But, Mr. Speaker, if we could get some assurance that the government indeed would be bound by their words, if we had something in writing that they were going to deal with the controversial issues of this bill, then that certainly would make it more palatable for members on this side. But the minister seems to be evasive, he does not say in what form the word will be, whether it will be written. So, Mr. Speaker, it seems awfully strange, awfully funny that the minister is not willing, that the government are not willing to make any kind of firm commitment to the labour movement of this Province just what they will do in terms of dealing with the controversial issues in this bill.

Secondly, they will not tell us what are the controversial issues in the bill. They will not outline for us the kinds of agreements that they have or on what issues they have reached agreement. So it puts one in a

MR. LUSH: very, very awkward position indeed. But, Mr. Speaker, the purpose of the bill, of course, is twofold. One is to outlaw strikes in the Public Service in this Province, that is point number one. This bill will effectively outlaw strikes in this Province; and, secondly, it denies

MR. LUSH:

hundreds of workers the right of collective bargaining in this Province. Mr. Speaker, where is freedom, where are equal rights that we subscribe to in this Province when this insidious bill quite blatantly, quite emphatically, quite clearly attempts to outlaw strikes in the public service and, secondly, denies the rights of hundreds of workers in this Province to the process of collective bargaining? Mr. Speaker, that is insidious, it is incredible! How can the minister stand here today and present a bill that is so insidious and be so evasive in terms of telling hon. members what he plans to do with this particular bill, without telling us what issues will be left for discussion? No time frame, no time reference at all. He does not tell us that he will meet with the labour movement over the next couple of weeks and that they will have things ironed out by the last of August or by the first of September, or by the middle of September, nothing at all, Everything very vague, I will venture to say, Mr. Speaker, that this bill will go through because forty-four beats eight any day and there is nothing we can do to stop it from going through. Forty-four will beat eight. I understand that in meetings with the minister today that the minister certainly used that expression, that the bill was going to go through; there was nothing going to stop the bill. But if I can believe the minister, he has reached an agreement, he has come to an accommodation with the labour movement in this Province. I hope that is an accurate statement, but to satisfy members on this side of the House, Mr. Speaker, we want to know a little more about

MR. LUSH: the agreement. I mean, what an arrogant government that figure that they are going to get a bill through by saying that they have reached certain agreements and certain accommodations with people, but they are so arrogant that they will not tell the people of this Province, that they will not tell this Legislature what the agreements were. Mr. Speaker, that is unheard of, but again it demonstrates the attitude of this government with respect to collective bargaining and with respect to negotiations, that is what it does, Mr. Speaker, it demonstrates the attitude of a government and the approach of a government that says, 'Do as I say.' We have all become serfs, Mr. Speaker, in this Province. This bill is a ridiculous bill and it is nothing but arrogance, nothing but disrespect for the people of this Province, disrespect for the labour movement of this Province when the minister gets up and will not give us the kind of assurances that we need for this particular bill,

MR. LUSH: when he will not tell the House the kinds of agreements and the kinds of arrangements that he has entered into with the labour movement in the Province, was very, very evasive and gave us no information at all with respect to these points that I have mentioned.

Mr. Speaker, it is an insidious bill. It is an anti-labour bill in every respect. Now the minister talks about the good points in this particular bill. There are very, very few good points in this bill. About the only good point that he could bring up was the successor rights issue and then he went on to say that it did not go far enough. He just touched the periphery with that particular issue. Mr. Speaker, what we need to know today is the kind of assurances that the government will indeed give the labour movement in this Province in terms of dealing with the controversial issues. We want to know what they are, and I think we know what they are. The definition of employee, Mr. Speaker, has sweeping effects on the rights of people to engage in collective bargaining. As I said, there will be hundreds of people denied this particular right, that is what that definition will do. Is this one of the points, is this one of the issues which the government and the labour movement have agreed to? Is that one of the issues? This we need to know. Is this one of the issues, the one defining 'employee'? If it is one of the issues, what kind of assurances, what kind of guarantees is the minister going to give the labour movement that that issue will indeed be dealt with, that he will take representation from the labour movement in this Province before this particular issue is proclaimed? That is the kind of assurances that we need. It is only fair and right,

MR. LUSH: Mr. Speaker, that this House be given the assurance that this is an issue that will be dealt with before a proclamation is made.

How about the designation of essential services? Is that an item on which agreement has been reached? Is that another one? I know it is a controversial one, and one, Mr. Speaker, that is going to render ineffective collective bargaining in this Province. It is one that is going to eliminate the effect of a strike, it is a very important one, this designation of essential services. What we are going to have is a method, Mr. Speaker, to divide the workers, divide and conquer; that is the kind of legislation that we are now getting into, that is the kind of approach that this government is using, to divide and conquer the hospital workers.

So, Mr. Speaker, this particular piece of legislation, this particular item in this bill is one that is going to render ineffective strikes forever in this Province. But what we want to know is is that an issue on which both parties have agreed? Is that one where they have reached the satisfactory accommodation? Is this one that will not be proclaimed, awaiting consultation and meetings with the labour movement in this Province? We have to know before we can give our assent to the passage of this Bill. It is one thing, Mr. Speaker, to enter into an agreement with a group of people, but it is certainly another thing when the minister is so arrogant that he will not inform this Legislature just what items were agreed to, just what was the nature of the agreement, to give hon. members, naturally, all of the details relating to the bill so that we can talk about the bill intelligently and so it can be voted upon intelligently. Maybe hon. members opposite are going to vote for this bill regardless, whether they know what arrangements have been made, what accommodations have been made, but, Mr. Speaker, this is too

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MR. LUSH:

important a bill to just
let slip through without the minister giving us the details
of the agreements entered into with the labour movement of
this Province, which negotiate for the public service.

MR. LUSH: and all of these people, the thousands of people in the public service, have a right to know what this bill is going to do for them and what the government plans to do about this bill. So, Mr. Speaker, it is certainly not in keeping with any government for somebody to stand up as arrogant as the minister today and not inform this House of the nature of the agreement and to the time frame involved.

Another issue, Mr. Speaker; I wonder whether the situation with respect to the appointment of a mediator, whether that was brought up in today's discussions, whether the appointment of a mediator was something agreed to by the labour movement in this Province? The minister indicated that many of the issues outside of what we label the controversial issues, many of them the labour movement agreed to. I wonder if they agreed to the appointment of a mediator in the manner in which the minister has outlined, that it would be brought in? Did he consult with the labour movement on this? Are they happy with the appointment of a mediator? I suggest they are not, Mr. Speaker, because contained in this bill are many procedures, and many ways and means to delay the settlement of a labour dispute. This legislation is not designed to expedite the resolution of a labour dispute. Indeed, it is meant to slow it down, it is meant to allow the government every benefit whereby they can force workers back to work. So, Mr. Speaker, there is nothing in this bill that is going to expedite the resolution of any labour dispute within the public service; indeed, it is meant to slow it down and all the cards are stacked for the government. They are all stacked in the direction of the government. There is no consideration for the worker, All the considerations here, Mr. Speaker, was designed so that the government would have the strong hand, so that the government could call the shots.

MR. LUSH: That is what this particular bill does. So the minister has the obligation to tell this hon. House the steps that he is going to take to soften the tremendous impact that this particular piece of legislation will have on the labour movement in this Province. It is not the kind of bill, Mr. Speaker, that will promote harmonious labour relations in the Province. When the minister sat down to design this particular bill, he certainly was not concerned about improving the level of labour/management relations in the Province. That was the farthest thing from his mind because, firstly, he would have consulted with the labour groups in the Province, the various units that represent all of the workers in the public service, that is the first step he would have taken. The first thing he would have done, was to have consulted all of the unions that are represented within the public service of this Province, to consult with these to find out that

MR. LUSH: the measures that he was going to take were in agreement with the workers and with the unions. So the minister was not concerned about promoting good labour/management relations in the Province when he sat down, or when his officials sat down to put down all of the insidious measures that they have made in this particular bill. And secondly, of course, the measures that I have already alluded to were not designed, were not put in place to promote good labour/management relations in this Province.

The clause with respect to definition of employees I have already pointed out, and the designation of essential services. Neither of these two points will do much to promote good labour/management relations in the Province. But, Mr. Speaker, what we must know, and there is no purpose in debating the bill until we do know the kinds of agreements, the kinds of accommodations that were made with labour movements in this Province, on what issues agreements were reached. What is the time frame in coming to these agreements and what guarantees do the workers of this Province, the unions of this Province representing the public service, what kind of guarantees do you have that the minister will give them sufficient time to make their presentation re the items contained in this bill, particularly the items on which there have been agreements? - indeed, if there has been agreement. The minister says that they met and they reached certain arrangements. I will give the minister the opportunity to tell us what the arrangements were, to outline for us the guarantees that these unions have and the workers of the public service have that their case will be listened to, that their representations will be accommodated

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MR. LUSH: and that there will be sufficient time for them to make their representation and, in the meantime, all that will be done will be the proclamation of the good points. Can the minister tell us that all that

MR. LUSH:

months, or however long it takes, for the various labour groups concerned to get their briefs together, to make their presentation to the government? It is only fair, it is only just, Mr. Speaker, in a democracy that we know these kinds of arrangements, and if the minister cannot or is not prepared to give us that kind of information, then I say that this bill will go through, that it will never be changed again and we will have done the labour movement a tremendous injustice in this Province, probably one of the greatest injustices ever perpetrated on any labour group in this country. But it is up to the minister, Mr. Speaker, to give us what the assurances are, what the guarantees are. Again, Mr. Speaker, this government gets itself into this position by its approach. That is the thing that has to be underlined, that is the thing that has to be underscored, that is what has got to be made most emphatic, that this government gets itself into this kind of position with the labour movement in particular and with every other group with which it deals because it does not respect the labour movement, the way it negotiates, 'Do as I say,' no consultation with the labour movement, no wonder Mr. Speaker, they get themselves into hot water, no wonder they get themselves into the kind of trouble they do when they approach negotiations in this arrogant manner. So, Mr. Speaker, if the minister will tell us just exactly what the arrangements were he entered into with the union officials and just what guarantees there are, give us some details as to what exactly he plans to do and what assurances he has given the labour movement, what guarantees then, Mr. Speaker, we can debate this bill with a little more rationality.

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

MR. DINN:

Mr. Speaker.

MR. SPEAKER (Aylward):

and Manpower.

The hon. the Minister of Labour

MR. DINN:

Mr. Speaker, I thank the hon. the member for Terra Nova (Mr. Lush) for his contribution to the debate. Basically the hon. member struck on several points, I hope I did not miss any of them because I was out for a moment, but there are sections of the legislation that maybe not 100 per cent but are pretty good sections and align themselves with the Labour Relations Act. For example, as I said, Section 2 amended would bring in line Section 99 of the Labour Relations Act and provides an employee does not lose his status as an employee as a result of a strike or a lock-out. That is in line with the Labour Relations Act and I think that is favourably received. Some of the other ones that have been favoured, maybe not 100 per cent but the

MR. DINN:

appointment of a mediator became a problem during several sets of negotiations and I think that is a good provision. It is a provision whereby you go through a process of a conciliation officer and board and you get to a point where it is almost stalemated and you need to have that next level of negotiation or mediation. It is the next level up, we will say, from post-conciliation. I think it is a good provision, it is one that aligns itself again with Section 80 of the Labour Relations Act and provides the minister with the capability of getting both sides back to the bargaining table with mediation in gear and the possibility of resolution to what could be a fairly serious situation. Members of the Labour Relations Board to serve on conciliation boards, I think is a fair amendment and aligns itself again with the Labour Relations Act. For example, we have people who serve on the Labour Relations Board in this Province, who have done yeoman work on conciliations boards and so on and I think the same provisions should be provided, or have the capability provided for them to serve on conciliation boards as regards to the public service. Section 18 would allow the minister to defer requests for the appointment of a conciliation board and I have gone through that. Maybe not everyone would agree with that process, but the fact of the matter is there are certain times when I have gotten requests from both sides to defer making decisions on the appointment of conciliation boards. There are times, for example, when I might want to appoint a conciliation board, but there might be eighty or ninety items outstanding and it would be just impossible for a

MR. DINN: conciliation board to address itself to, there are things that should be settled in the collective bargaining process, we should get down to four or five or six items before appointing a conciliation board and give both sides an opportunity to present their case to an independent body. So I think that is a good provision, I do not suppose that everyone would agree that it is a good provision but I have been Minister of Labour and Manpower now for over four years and I have gotten requests from both sides and I think it is a good provision. We use it in the Labour Relations Act, I do not think it has ever been abused.

MR. DINN: There have been times it has been questioned as to whether it has or has not been abused, but to my knowledge, as minister, I do not think there has ever been a time that I have ever consciously abused Section 97 of the Labour Relations Act.

Some of the other items, as I said before, successor rights is not as good as what members of the labour movement would want. There may be refinements that we could make to successor rights provisions in the Public Service (Collective Bargaining) Act. I cannot think of what that phrase would be or what that clause would be but it certainly is a step forward. It may not be a giant step but we might be able to get refinements to that between now and say the Fall Session so that we could improve that.

Essential employees: I would like to deal with essential employees because I think it is a very, very important provision. It is a provision that was in the Public Service (Collective Bargaining) Act since 1973 when the act was brought in and there have been problems with that particular section since that time. We have never gotten to a situation where in the health services field -

MR. LUSH: (Inaudible)

MR. DINN: Yes. There have been agreements by both sides in certain institutions, and as a matter of fact, for the hon. members information, we never really had a problem with essential employees until, hon. members will remember, the last time we had a strike in the health services field.

MR. LUSH: (Inaudible)

MR. DINN: No. In the Lab and X-ray. Where we had to come into the House of Assembly and designate essential staff as a government. And, of course, this is almost abhorrent to me where a government decides holus-bolus who should and should not

MR. DINN: be essential. What we are trying to do, what we are attempting to do in the health feild, we are attempting to get a negotiated settlement. In case you cannot get a negotiated settlement, somebody has to decide. Well, what we have decided is that the Labour Relations Board should decide. Now, the procedures may not be the appropriate procedures but these are the procedures that we have come up with. What we are basically saying is the employer designates or says what he needs as essential employees and notifies the Labour Relations Board and notifies the representatives of the employees and they can then sit down. If they can get agreement on essential employees, fine, no problem; but if they cannot get an agreement, then we have to have a way to settle and the way we are proposing in this piece of legislation is

MR. DINN: that it be settled by the Labour Relations Board. Now, there are still problems with that. Listening to some good arguments this morning, as a matter of fact it is one of the reasons why we have -

MR. ROBERTS: It is one of the sections you are not going to implement.

MR. DINN: That is right.

What we are going to do basically and, of course, unless there is a case where an emergency situation arises between now and when we get resolution to what we are trying to do, then what we will do is we will get the employers together with representatives of the different collective bargaining units and they will sit down at a table and see if we can get resolution finally to essential employees.

MR. ROBERTS: Eventually, will you see if they can write a better section than that?

MR. DINN: Well that might be. If they can write a better section then that is fine. If we can reach resolution to essential employees so that we do not have dangerous situations arising in the health services field, then that is great if they can come up with a better section.

MR. NEARY: The only way they can do it is if you are prepared to negotiate with them.

MR. DINN: Oh, absolutely. I am making a commitment now that we will attempt to get resolution to this. But I must say to the House right now that government cannot afford not to have the capability of having essential employees in place. In the event that we get to a situation between now and the Fall Session, or when we proclaim this if, for example, there is a strike in the health field in one of the areas where we have to protect the health and safety of people in hospitals or institutions, then we might

MR. DINN: have to proclaim this section, but I would much rather go through the process with the assistance of anybody in my department, with the employers and with the representatives of the union to sit down at a table and, say, in three months, between now and September, to negotiate and settle once and for all what essential employees are.

MR. ROBERTS: Or a methodology in determining that.

MR. DINN: And maybe a better methodology whereby we can implement essential employees.

MR. NEARY: And the other clauses in the legislation that they are opposed to, you are prepared to look at these too, is that correct?

MR. DINN: Well, there are certain other clauses that they may be opposed to. For example, the definition of employee. I am not sure myself. There are certain areas, and I give hon. members an example the F.E.S.P. programme operated by my colleague, the Minister of Forest Resources and Lands (Mr. Power) -

MR. ROBERTS: With federal money. Tell them that. - with federal/provincial money. We have no problem with the F.E.S.P. programme when it is operated through the Minister of Forest Resources and Lands whereby we can supply wages, for example, that are comparable to or in the area of what the collective agreement says, we have no problem with that.

MR. DINN: We do have a problem in areas, for example, like my colleague's, the Minister of Social Services (Mr. Hickey) department where he is attempting this year to employ, say, 2800 people -

MR. ROBERTS: To get them on UIC.

MR. DINN: Well, for whatever reason to get them - a lot of them and the minister surprised me the other day, as a matter of fact, when he stood up in this House and said that people who go on these employment opportunities -

MR. ROBERTS: Once they get the twenty stamps then they only need ten to stay on, so they stay on UIC.

MR. DINN: The hon. member is interrupting me a little and is getting me a little bit off my train of thought. But, basically, I was surprised when the minister stood up in the House the other day and said that something like 80 per cent of the people who go on these employment opportunities programmes never go back to the social assistance rolls.

MR. ROBERTS: I do not mean to try and prove the minister wrong. I mean, what happens is perfectly straightforward and perfectly acceptable; once you get the twenty stamps then you only need ten each year to get back on, so these people are moved off the social assistance rolls into the UIC rolls, which is fair enough, I have no quarrel with that.

MR. DINN: I do not want to get in to the intricate details of that, the Minister of Social Services could answer what happens, but basically that may or may not happen.

MR. ROBERTS: Sure it does.

MR. DINN: The other problem that we have is, for example, in the NEED programme. As I outlined in the House of Assembly here not long ago, we had \$173 million

MR. DINN: worth of projects that we put forward to the federal government and they are providing us with \$30 million, I get this opportunity now to compliment the Federal Minister, Mr. Axworthy, who negotiated with me and provided Newfoundland with \$30 million for NEED projects, which will employ thousands of people in Newfoundland and I would not want this stopped. Sometimes you can get a development association to take on a project or you can get a council to take on a project or a fisheries committee to take on a project but there are some worthwhile projects in this Province that should be able to go forward that cannot be operated by any of these committees - water committees or fisheries committees - and we need to operate them. The dollars simply would not come to the province if we could not operate a programme to employ individuals, so in the cases of NEED specifically where we can get \$200 a week and \$240 for lead hands and we can get some necessary work done in communities, fisheries facilities and in forestry and in different areas these are areas where we need to be able to employ people and not be encumbered, are really encumbered by collective agreements because we would not be able to avail ourselves of the \$30 million under the criterion set down by the Federal Government. Really at times it does not matter what you say in negotiations with them; you just cannot change their minds; they have a set of criterion

MR. DINN: that they lay down and if you do not operate under that, you do not get the dollars and you do not get people employed. So I think I would be less than a Minister of Manpower, which is employment, in this Province if I put something in the way of, not allowing people to go to work under NEED programmes. The hon. member for Terra Nova (Mr. Lush) would be up in this House saying the federal government has \$30 million there and the Minister of Manpower will not accept it because of his stringent, hard line conditions. So when they lay down conditions I negotiate and I try to get some more flexibility and that kind of thing. As a matter of fact, I negotiated the only flexibility I think we have in Canada with respect to the NEED programme in that it does not only involve exhaustees but involves any number of people who are on social assistance can participate in NEED programmes. Now there is a concern by members in the labour movement that by doing this sort of thing you might displace some of the people that are in their collective agreement. Well that certainly is not the intent and if there is some way we can work through that process then we might be able to work something out and come in with a better clause in the Fall. But basically the problems that I had today, I mean I was set today in sitting down with the Federation of Labour and in trying to, and over the years I have tried to develop a certain rapport with the Federation of Labour and with NAPE and CUPE and the different unions in the Province. I was in a bit of a conundrum this morning when really I did not have an out or a capability that I saw when I started out in the meeting this morning whereby we could provide more time because hon. members may or may not know that we are going into negotiations with hospital support and with nurses and so on and we could come up with the same sort of situation where we have danger to health and safety of people in hospitals and of course I could not live with myself

MR. DINN: as a member of government and have that situation and not have an out. So the legislation had to go through but I came up with and I am delighted that I was able to come up with the caveat that will be proposed in Committee under Section 15 whereby we can proclaim those items that are good and possibly negotiate better clauses for the Fall Session but if it comes to -

MR. NEARY: Do they know which ones will be stalled?

MR. DINN: No. This is not going to be proclaimed this afternoon anyway.

MR. NEARY: Have they identified the clauses that they would like to have input into?

MR. DINN: Yes. I have identified in my own mind.

MR. NEARY: But have they agreed with that?

MR. DINN: Well, I can tell the hon. member that I am not

MR. DINN:

going to get, under any circumstances, total agreement on every clause that is put forward in this bill, I know that. I mean, on the definition of an essential employee there are ten additional items in there that are new. I am going to go through each one of them and see what the possibility is and so on, I may never get agreement but there are certain things -

MR. CALLAN: They all came from New Brunswick, did they not?

MR. DINN: No, it is not exactly centered around New Brunswick legislation, it has some of the provisions that they have in there. Basically what it does is, it says under essential employees, what this bill says and what New Brunswick legislation says, it does it in different ways but it says you have essential employees in place before you have the capability to go on strike. That is what it basically says under essential employees now. How that procedure is followed through or carried out is different here than it is in New Brunswick and as I say there may be accommodations that can be made between now and when it is proclaimed or when a new section is brought in say in the Fall, that we can come up with. There might be a way we can get the employer and representatives of the employees down at a table and get this thing out of the way once and for all because I think hon. members opposite would agree that you have to have essential employees in place before -

MR. NEARY: You are ten years at it now.

MR. DINN: I know that, but I think from the discussions that I had this morning I was surprised as a matter of fact that we had the discussion that we had, that people were very reasonable and -

DR. COLLINS: Who did you meet with this morning?

MR. DINN: Well, I met this morning with -
I do not like to give out names in the House - but the President of

MR. DINN: the Federation of Labour was there, the President of NAPE was there, the President of CUPE was there, Mr. Mayo, and several other of their officials and we had two or three hours I suppose of good discussion and some things were brought forward that I had really not looked at from both sides. But the hon. the member for Terra Nova (Mr. Lush) said that there has been no consultation with the labour movement. That really is essentially not true. Now basically consultation has gone on, if the hon. member will permit, since 1973. The last time I met with representatives of the unions that are involved with the Public Service Collective Bargaining Act was I think October and I went through all of the different items that we had concerns over,

MR. DINN: mediation with respect to essential employees and so on. October and November of 1981 was the last time I met and I met at that time with the President of NAPE. We did not reach conclusions, we did not expect to reach conclusions at the time but we talked about what is it that we can come up with? but we just have not been able to come up with anything. I met with Mr. Smeaton who was at that time the rep for the Nurses Union and several people on their association, I met with Mr. Wells. I do not think Mr. Mayo was in the Province at the time so I met the gentleman who came in representing CUPE, Mr. Wells and I talked to him about it and I went through the different provisions and the different problems we had with collective bargaining and -

MR. LUSH: Are you saying that this is their suggestion?

MR. DINN: No, definitely not, Mr. Speaker. I do not want to leave that impression in the mind of anyone. What I am saying is there was consultation. I mean, we sat down, we tried to determine what we could come up with. There was no resolution. The only way we could resolve - since there was no resolution in the Lab and X-ray situation we had to come into the House, something that is really abhorrent to me, come in here in the House and as a government designate who should be essential and who should not bring in severe penalties. I think that there is an accommodation now. We have to have this in place, we have to have the capability of providing essential employees, but I think there is the capability, that we can sit down and maybe I can get the assistance of my deputy

MR. DINN: minister, sit down with the employers and representatives of the different bargaining units and get an accomodation. If we can, fine, if we cannot then so be it. We have got to have provisions in there for essential employees. And the hon. member for the Strait of Belle of Isle (Mr. Roberts) who was Minister of Health at one time would have to agree, I think every member in this House would have to agree that you have to have essential employees in the health service before you can have a strike, that is a given. So, Mr. Speaker, I have gone through most of the items brought up by hon. members opposite, The appointment of a mediator was another one brought up. I do not know if that came in as a result of a request from all of the unions, for me to have the capability of appointment of a mediator, but I think it is a good step in a process. When you get to a certain level and you cannot get resolution to the dispute if you can bring it, say, to that mediation stage, to that higher plain I think there is a possibility that the importance will be stressed and you may be able to get resolution to a dispute before you get strike action or in that process. So, Mr. Speaker, I do not have a lot of other things-as I say, I hope I have not missed any of the points the hon. member brought up. but this thing with respect to essential employees has gone on and the fact of the matter is, unfortunately we have had one problem, we are fortunate we have not had a lot of problems I suppose, but unfortunately we had to have that problem in order to bring this kind of thing about. I think it was an unfortunate thing. I

MR. DINN:

think both sides should have been able to sit down, get this thing resolved and get it out of the way. So I say, unfortunately we had to have that bill that we had to bring in last year with respect to lab and X-ray workers. I think that was an unfortunate situation and I hope that within the next few months we can get both sides together and get resolution to essential employees and possibly a different process or a better process put in place whereby we can resolve this very important issue.

So, Mr. Speaker, with that I move second reading.

MR. ROBERTS:

May I?

MR. DINN:

Certainly, no problem.

MR. SPEAKER (Russell):

The hon. the member for the Strait of Belle Isle.

MR. ROBERTS:

Thank you, Mr. Speaker. Just before the minister resumes his seat and we end debate on this, could he indicate to us very briefly the areas in respect of which negotiations are to be carried on. On the essential services clauses there are going to be talks and what I understand the minister to say is, if there is no agreement he is going to resolve it and that is fair enough, there has to be an end to all things in this life and this is one of them. But are there going to be other areas in respect of which there are going to be negotiations between him and representatives of unions and others concerned?

MR. DINN:

Well, as to whether different sections will or will not be proclaimed I cannot give that kind of a thing but, for example, with respect to rotating strikes, I think there is room, we can discuss that and maybe come up with a better clause there. Okay? With respect to -

MR. ROBERTS:

Definitions of employees, exclusions

MR. DINN: - the definition of employee, I think there is something that we might be able to have a look at there. There is certainly -

MR. NEARY: How about where they can take a strike vote a second or third or the fourth time?

MR. DINN: Yes. There is another one, the Leader of the Opposition (Mr. Neary) just brought up I just cannot recall now. It is the capacity of having that sort of cooling off period and then being able to go on strike again if you need to, in other words, There is a problem there that I understand and I just cannot recall exactly what it is all about now. Rotating strikes, that provision I think is okay, there might be little nuances that we can put in. In respect to, for example, when a union gets in a position to go on strike and maybe goes on strike and there might be an accommodation whereby they will go back to work and negotiate, the provision here is that they go on strike or they do not go on strike and if they go on strike then that is it, they are on strike until something happens, there is no provision whereby they can go back to work. So there might be a problem.

MR. ROBERTS: Although generally, I mean, you cannot have rotating strikes, you are either out or you are in.

MR. DINN: Yes. That is right. Generally you cannot have rotating strikes and I think that is what we are trying to prevent here. But if a situation arose that after a period of time the strike took place and there was one or two items that may be capable of resolution they might say, 'Okay, we will go back to the bargaining table', or the employer might say, 'Okay, we will do this, this and this, you send your employees back and we will negotiate and you will still have the right to go out if you are not happy with what we are proposing,' that might be a

MR. DINN: situation where you might want to have that capability, so these are the kinds of things that I would be willing discuss. It does not mean now and I cannot -

MR. ROBERTS: No, no. We are not asking for a commitment. We are asking for a commitment to negotiate, we are not asking for anything else.

MR. DINN: I know. Oh, yes. And that is absolutely.

MR. DINN: There is no problem there at all. As a matter of fact, these are the kinds of things that came up this morning, some of the things you do not really think about. Even though you look at a thing and you say, no problem with that, that sounds like a good piece of -

MR. ROBERTS: You are looking at it as minister, they are looking at it from the bottom of the pit.

MR. DINN: That is right, yes.
So it is interesting and I was pleasantly surprised this morning, number one, with the calibre of negotiations, and, number two, the different things that one might not in his own mind see as major problems that could be resolved down the road.

MR. ROBERTS: There is a lot to be said for negotiations. I mean, if you could infect the Premier and the Minister of Energy (Mr. Dawe) with this we would all be better off, I think, but that is another story. That is another story. We are all sweetness and light here.

MR. DINN: Anyway, Mr. Speaker, if hon. members have any other questions before I move second reading, it is fine.

MR. ROBERTS: No, generally the whole thing is negotiable, you are willing to look at it all.

MR. DINN: There are eight or ten things in there that I am sure there will be no problem with proclaiming tomorrow. As far as I am concerned, I am willing to sit down and listen and discuss and negotiate.

MR. ROBERTS: When you say eight or ten no problem proclaiming, there is agreement on eight or ten, I take it?

MR. DINN: Yes. I mean, I do not think there is a problem with the appointment of a mediator. There may be with the -

MR. ROBERTS: The successor rights is a good thing.

MR. DINN: Yes - with the allowance, for example - 'members of the Labour Relations Board to serve on conciliation boards' I do not think there is a problem with that, so maybe things like that can go right away. But certainly with the ones where there are problems I would be willing to discuss, I have no problem with that.

MR. ROBERTS: Will you be in touch with them or should they get in touch with you?

MR. DINN: I will be in touch with them in the next few days, yes. With that, Mr. Speaker, I move second reading.

MR. ROBERTS: That is fair enough, is it not?

On motion, a bill, "An Act To Amend The Public Service (Collective Bargaining) Act, 1973", read a second time, ordered referred to a Committee of the Whole House presently, by leave.

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

COMMITTEE OF THE WHOLE

MR. CHAIRMAN (Aylward): Order, please!

A bill, "An Act To Amend The Attachment Of Wages Act". (Bill No. 40).

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

A bill, "An Act To Amend The Insurance Companies Tax Act And The Insurance Premiums Tax Act, 1978". (Bill No. 46).

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

A bill, "An Act To Amend
The Liquor Corporation Act, 1973". (Bill No. 47).

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

A bill, "An Act To Amend
The Public Service (Pensions) Act". (Bill No. 50).

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

A bill, "An Act To Amend
The Petroleum And Natural Gas Act". (Bill No. 54).

MR. CHAIRMAN (Aylward): Shall clause 1 carry?

MR. OTTENHEIMER: Mr. Chairman.

MR. CHAIRMAN: The hon. the Minister of
Justice.

MR. OTTENHEIMER: Mr. Chairman, I move that
subsection (2) of 9.1 as set forth be repealed and the
following substituted: "Every lessee, licensee or permittee
involved in petroleum exploration, development or
production activities is strictly liable for (a) any loss
which may occur as a result of pollution caused by the
lessee, licensee or permittee; and (b) the cost of clean-up and
rehabilitation incurred by the Province or any person."

The purpose of this amendment
is to clarify and to assure that the liability incurred as a
result of pollution will include the cost of clean-up and
rehabilitation related to that pollution. So it is to
clarify that and to make it explicit.

On motion, amendment carried.

On motion, clause 1 as
amended, carried.

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

A bill, "An Act To Amend
The Labour Standards Act". (Bill No. 56).

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

A bill, "An Act To Amend
The Government - British Newfoundland Corporation Limited -
N.M.Rothschild And Sons (Supplemental Agreement) Act, 1978".
(Bill No. 51).

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

A bill, "An Act To Amend
The Mineral Act, 1976". (Bill No. 53).

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

A bill, "An Act To Remove
Anomalies And Errors In The Statute Law". (Bill No.57).

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

A bill, "An Act To Amend
The Public Service (Collective Bargaining) Act, 1973".
(Bill No. 59).

On motion, clauses 1
through 13 carried.

MR. CHAIRMAN (Aylward):

Shall clause 14 carry?

MR. OTTENHEIMER:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the Minister of
Justice.

MR. OTTENHEIMER:

I would move an amendment,
that immediately after clause 14 there be a new clause,
clause 15, which would read as follows: "This act or any
section or sections of this act shall come into force on
a day or days to be proclaimed by the Lieutenant-Governor
in Council".

That, of course, is the
clause which would give statutory reference to the under-
taking given by the Minister of Labour and Manpower
(Mr. Dinn) on behalf of the Government when he introduced
the bill.

MR. NEARY:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the Leader of the
Opposition.

MR. NEARY:

I would like to have a few
words on this. This was the olive branch the hon. gentleman
held out earlier today and I have to say, Mr. Chairman, that
I hope that the hon. gentleman is aware of what he did. He
has put his name on the line, he has told these people that
he is prepared to act in good faith, he asked the
representatives of NAPE and CUPE and the Federation of
Labour who came to see the hon. gentleman to place their
trust in him.

DR. COLLINS:

No, he did not.

MR. NEARY:

Yes, Mr. Chairman, that is
what the hon. gentleman did.

DR. COLLINS: You are putting words in his mouth.

MR. NEARY: I am not putting words in the hon. gentleman's mouth because I heard what the hon. gentleman said earlier today. And if the hon. gentleman is not going to act in good faith let him say so now. But he told the House, told the representatives that he intended to act in good faith and asked the people to trust him. Is the hon. minister's colleague saying that that is not so?

DR. COLLINS: There is no objection to taking a safeguard. Is the hon. gentleman

MR. NEARY: Is the hon. gentleman saying that is not so?

DR. COLLINS: I am saying he did not commit himself

MR. NEARY: Mr. Chairman, I have to say this, that we had fully intended on this side of the House to dig in, to fight this insidious bill tooth and nail.

MR. ROBERTS: And be here until Labour Day.

MR. NEARY: We had it classified as an act of a Fascist government. I had a speech prepared

MR. NEARY: that I was going to make
on this bill.

DR. COLLINS: What! and the rug was
pulled out.

MR. NEARY: No, when the representatives
came -

MR. TULK: We all did.

MR. NEARY: We were all prepared to
make our contribution, we would have been here until Labour
Day. But one of the representatives came down, who attended
the meeting with the hon. gentleman, and said that they were
happy with the meeting they had, that the hon. gentleman
was going to bring in an amendment and so it kind of pulled
the carpet out from under our feet.

Therefore, Mr. Chairman,
the long, hard debate that would have taken place this
afternoon was temporarily stalled. Because, Mr. Chairman,
if I had been in the place of these representatives I would
not have been happy, I would not have agreed with the hon.
minister. Mr. Chairman, this same hon. gentleman who is
asking these people to believe in him, to have trust in him,
only a year and a half or so ago they were screaming from
one end of this Province to the other for his resignation
over an incident where he tampered with the Labour Relations
Board.

If I had been in their
place I would not have agreed. Because I believe they are
going to be let down in the end, Mr. Chairman. I will
forecast now that the Federation of Labour, CUPE and NAPE
representatives will be let down by the hon. gentleman, that
the hon. gentleman has no more intention of dealing with these
groups in good faith, Mr. Chairman, than my little puppy.
that I have at home, they are going to be let down.

DR. COLLINS: You are making a good speech.

MR. NEARY: Well, of course I am making a good speech. I always make a good speech.

Mr. Chairman, this amendment will either go down in history in this House or will be considered to be one of the most dastardly, devious manoeuvres of any administration in the history of this Province.

DR. COLLINS: Worse than the IWA.

MR. NEARY: I hope I am wrong. I hope the hon. gentleman will prove that I am wrong.

Mr. Chairman, I happened to be in the trenches in the IWA dispute. The hon. gentleman earlier pulled up a story from The Daily News 1967, and the hon. gentleman -

DR. COLLINS: Hansard. It was Hansard.

MR. NEARY: Well, Hansard or whatever it was. This is 1983, Mr. Chairman, we are living in a different world, a different world altogether. And I make no apologies, Mr. Chairman, I make no apologies to the Government House Leader (Mr. Marshall), or to the Minister of Labour and Manpower (Mr. Dinn), or to the member for Grand Falls (Mr. Simms), or to any other member for the way I voted in this House in the past. Everybody has a right to -

DR. COLLINS: Right! This is an enlightened age.

MR. NEARY: That is right. This is an enlightened age we are in, you have the right to change your mind. But, Mr. Chairman, let me remind the Minister of Labour and Manpower

MR. NEARY: that at that time, when that bill was brought into the House, we were talking about hospital workers not the total public service. We are talking here about 20,000 -

MR. ROBERTS: We were only talking about two particular hospitals, were we not?

MR. NEARY: And we were only talking about two hospitals, if hon. gentlemen will recall. We are talking about about every public service employee who is going to get the iron boot, Mr. Chairman, If the hon. gentleman tries to turn back the clock on collective bargaining, as I have no doubt he will then I am afraid that the people who came to see the hon. gentleman are going to be tremendously let down.

So, Mr. Chairman, what else can I say? What else can I say? I spent all last night and this morning putting together a few notes, I figured this would be -

MR. SIMMS: Were you up all night?

MR. NEARY: Yes, I was. I was up until about 1:30 researching, putting together some notes. I figured this would be my speech of speeches in this House.

MR. PATTERSON: The labour movement let you down.

MR. NEARY: No, the labour movement did not let me down. No, Mr. Chairman, the labour movement never let anybody down. But when the representatives came down and told our colleague, our spokesman on Labour and Manpower that some kind of a mutual arrangement had been worked out, I was rather disappointed that I could not make that speech that I wanted to make. But, as I say, if I had been in their place I would never have made a deal with this government.

You cannot trust this administration, Mr. Chairman, you cannot trust them. Their track record is so bad that you cannot trust them, just one

MR. NEARY: letdown after another,
one betrayal after another. But, anyway, we will just
have to wait and see what happens between now and the
Fall of the year, Mr. Chairman. We will be watching, we
will be watching very carefully to see what happens.

 It is too bad that the
representatives are gone out of the gallery, because I am
afraid, I have a suspicion as a result of the activities
today that there may be a little internal

MR. NEARY: squabbling as a result of this.

DR. COLLINS: No. No way.

MR. NEARY: No? Well, we will see.
So, Mr. Chairman, there is nothing else that I can say about it. I do not know if my colleagues wish to speak on the amendment. It is a matter of faith, good trust -

DR. COLLINS: Faith, Hope and Charity.

MR. ROBERTS: There is no charity in this government.

MR. NEARY: No, and no faith either.

AN HON. MEMBER: Just hope.

MR. NEARY: And no trust either. Well, we will just have to wait and see.

On motion, amendment carried.

On motion, clause 15

carried.

Motion, that the Committee report having passed the bill with 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. CHAIRMAN (Aylward): Mr. Speaker, the Committee of the Whole have met and considered the matters to them referred and directed me to report having passed bills 40, 46, 47, 50, 51, 53, 56, 57 without amendment, and also directed me to report having passed bills nos. 54 and 59 with amendment and ask leave to sit again.

On motion, report received and adopted.

A bill, "An Act To Amend The Petroleum And Natural Gas Act". (Bill No. 54).

On motion, amendments read a first and second time.

On motion, Bill No. 54 read a third time, ordered passed and its title be as on the Order Paper.

A bill, "An Act To Amend The Public Service (Collective Bargaining) Act, 1973". (Bill NO.59).

On motion, amendments read a first and second time.

On motion, Bill No.59 read a third time, ordered passed and its title be as on the Order Paper.

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 Attachment Of Wages Act". (Bill No. 40).

A bill, "An Act To Amend The Insurance Companies Tax Act And The Insurance Premiums Tax Act, 1978". (Bill No. 46).

A bill, "An Act To Amend The Liquor Corporation Act, 1973". (Bill No. 47).

A bill, "An Act To Amend The Public Service (Pensions) Act". (Bill No. 50).

A bill, "An Act To Amend The Labour Standards Act". (Bill No. 56).

A bill, "An Act To Amend The Government - British Newfoundland Corporation Limited - N.M.Rothschild And Sons (Supplemental Agreement) Act, 1978". (Bill No. 51).

A bill, "An Act To Amend The Mineral Act, 1976". (Bill No. 53).

A bill, "An Act To Remove Anomalies And Errors In The Statute Law". (Bill No.57).

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

MR. MARSHALL: Mr. Speaker, I do not know whether His Honour has arrived yet or not. Does the staff need a few moments to be able to get the bills together?

SERGEANT-AT-ARMS: Mr. Speaker, His Honour the Lieutenant-Governor has arrived.

MR. SPEAKER: Admit His Honour the Lieutenant-Governor.

Your Honour, it is my agreeable duty on behalf of Her Majesty's dutiful and loyal subjects, Her Faithful Commons in Newfoundland, to present to Your Honour a Bill for the appropriation of Supply granted in the present session.

A bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending The Thirty-First Day Of March One Thousand Nine Hundred And Eighty-Four And For Other Purposes Relating To The Public Service". (Bill No.38).

HON. W.A.PADDON (Lieutenant-Governor): In Her Majesty's Name, I thank Her Loyal Subjects, I accept their benevolence and Assent to this Bill.

MR. SPEAKER: May it please Your Honour, the General Assembly of the Province has at its present Session passed certain Bills, to which, in the name and on behalf of the General Assembly, I respectfully request Your Honour's Assent.

A bill, "An Act To Amend The Gasoline Tax Act, 1978". (Bill No.45).

A bill, "An Act To Authorize The raising Of Money By Way Of Loan By The Province". (Bill No. 37).

A bill, "An Act To
Establish An Economic Council For The Province". (Bill No.1).

A bill, "An Act To
Amend The Pharmaceutical Association Act". (Bill No. 9).

A bill, "An Act To Amend
The Co-operative Societies Act". (Bill No. 24).

A bill, "An Act To Amend
The Pippy Park Commission Act". (Bill No. 30).

A bill, "An Act To
Provide For The Portability Of Pensionable Service Between
Certain Pension Plans Guaranteed By The Province". (Bill No.39).

A bill, "An Act Respecting
An Increase Of Certain Pensions". (Bill No. 35).

A bill, "An Act Respecting
An Increase Of Certain Pensions For Transferred Employees".
(Bill No. 36).

A bill, "An Act To Amend
The Uniformed Services Pensions Act". (Bill No. 41).

A bill, "An Act To Amend
The Loan And Guarantee Act, 1957". (Bill No. 48).

A bill, "An Act To Amend
The Attachment Of Wages Act". (Bill No. 40).

A bill, "An Act To Amend
The Insurance Companies Tax Act And The Insurance Premiums
Tax Act, 1978". (Bill No. 46).

A bill, "An Act To Amend
The Liquor Corporation Act, 1973". (Bill No. 47).

A bill, "An Act To Amend
The Public Service (Pensions) Act". (Bill No. 50).

A bill, "An Act To Amend
The Petroleum And Natural Gas Act". (Bill No. 54).

A bill, "An Act To Amend
The Labour Standards Act". (Bill No. 56).

A bill, "An Act To Amend
The Government - British Newfoundland Corporation Limited -
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(Bill No. 51).

A bill, "An Act To Amend
The Mineral Act, 1976". (Bill No. 53).

A bill, "An Act Remove
Anomalies And Errors In The Statute Law". (Bill No. 57).

A bill, "An Act To Amend
The Public Service (Collective Bargaining) Act, 1973".
(Bill No. 59).

HON. W.A.PADDON (Lieutenant-Governor): In Her Majesty's
Name, I assent to these Bills.

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

MR. MARSHALL: Mr. Speaker, before moving
the adjournment of the House may I express my appreciation
to all members of the House, particularly the trusted
members of the Opposition for their co-operation throughout
this part of the sitting. I look forward, Mr. Speaker, to
coming back in the Fall, when we begin our legislative
session, which is the custom of this administration, and
receiving the same co-operation that we have received in the
past few weeks, particularly today.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: I wish all hon. members,
most particularly the members of the Opposition, Mr. Speaker,
a very happy Summer and I hope they get an opportunity to
visit their districts.

DR. COLLINS: What about your colleagues?

MR. OTTENHEIMER: What benevolence! A real
philanthropist! What philanthropy!

MR. MARSHALL: I further express that hope.
Now, Mr. Speaker, the idea
of this resolution is to adjourn until Monday, November 7,

MR. MARSHALL: but I hasten to add that the House may be reconvened, as it has in the past, by the administration, if there is urgent need to conduct the business of the Province.

In the Autumn we shall have a continuation of this session, and we shall be bringing forth legislative measures in addition to dealing with what is on the Order Paper.

So with those words, Mr. Speaker, I move that when this House adjourns today it will stand adjourned until Monday, November 7, 1983 at 3:00 p.m. provided always that if it appears to the satisfaction of Mr. Speaker or in the case of his absence from the Province, the Chairman of Committees, after consultation with Her Majesty's Government that the House should meet at an earlier time than the adjournment, the Speaker or in his absence, the Chairman of Committees may give notice that he is so satisfied and thereupon the House shall meet at the time stated by such notice and shall transact its business as if it had been duly adjourned to that time.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: I want to thank the hon. gentleman for his kind words. Mr. Speaker, there is something good about the hon. gentleman after all.

It has been a very difficult session for the Opposition but, Mr. Speaker, I think that we have done our homework. We work very well as a team. It is very difficult when you have forty-four against eight. I found it to be a very tiresome session myself. I do not know why. Maybe it is because, Mr. Speaker, there really has not been anything that we could get our teeth into as far as the economy is concerned.

MR. NEARY:

I want to thank the hon. gentlemen for their co-operation, and I want to extend a word of appreciation to the staff at the table, to the staff of Your Honour's office, and the staff in the Clerk's office, and to the media who are quite often overlooked by members of this hon. House. Mr. Speaker, they are the eyes and the ears of the people of this Province and I think, even though we have been a little bit critical at times, we deeply appreciate the effort and the work that they are doing in trying to, in thirty seconds sometimes, on television, get a three hour session of the House reported to the people of this Province.

I want to thank Hansard, who are probably the hardest workers. Apart from, I suppose, the Legislative drafts people, the Hansard people work extremely hard, Mr. Speaker, and they are, I suppose, due more gratitude and appreciation from members of this House who sometimes at a moment's notice want to get the Question Period, or want to get a speech they made. They almost want to get it before they made it and Harry Stamp and his good staff up there are most efficient and are doing a tremendous job, Mr. Speaker.

Also, I would like, personally, to express my sincere appreciation to Miss Richards, the Legislative Librarian and her staff, Mr. Speaker, for the excellent co-operation that we have gotten in this and past sessions of the House.

I want to also, while I am on my feet, say a word of thanks to our own new research assistant and to my own executive assistant who have worked night and day to try to help us get questions prepared for the Order Paper and, Mr. Speaker, help us with our speeches and do research so necessary for us to do the job that we have managed to do in this session of the House.

MR. NEARY: Having said that I hope
that everybody will have a good Summer, and we will be
back at it again in the Fall.

SOME HON. MEMBERS: Hear, hear!

On motion, the House at
its rising adjourned until Monday, November 7, 1983 unless
otherwise called back into session by the Chair.

Index

Answers to questions

tabled

May 31, 1983

Tabled 31 May 1983

ORDERS OF THE DAY - TUESDAY, APRIL 12, 1983

QUESTION NO. 87

MR. HISCOCK (Eagle River) - to ask the Honourable the Minister of Municipal Affairs to lay upon the Table of the House the following information:

QUESTION:

- (a) The amount owed by municipalities in Newfoundland and Labrador to the Government.
- (b) The purpose for the loan under specific headings;
- (c) The municipalities involved;

All of the above information is requested for the fiscal years 1979-80, 1980-81, 1981-82, 1982-83.

ANSWER:

See Attached Summary and Schedules.

The following amounts have been guaranteed by the Province for the fiscal years 1979-80, 1980-81, 1981-82, 1982-83.

	<u>79/80</u>	<u>80/81</u>	<u>81/82</u>	<u>82/83</u>
Water & Sewer Systems	\$25,785,000	19,256,000	24,832,000	30,840,000
* Road Reconstruction & Paving	6,940,000	6,432,000	8,949,000	12,815,000
Other (Includes, stadia municipal buildings etc.)	732,000	150,000	85,000	900,000
Total	<u>\$33,457,000</u>	<u>25,838,000</u>	<u>33,866,000</u>	<u>44,555,000</u>

* The Province by agreement will meet approximately 60% of the Principal and Interest payments required to amortize these loans.

The municipalities involved are not listed because this information is available from the annual amendments to the Local Authority Guarantee Act.

The total accumulated amount owed by municipalities to the Newfoundland Municipal Financing Corporation as at March 31, 1983 is \$205,000,000.00 and to the Province representing DREE Funding \$8,866,000.00.