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***VERBATIM REPORT***  
*(Hansard)*

Speaker: Honourable Patrick McNicholas

Thursday

30 April 1987

The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):  
Order, please!

Statements by Ministers

MR. SIMMS:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:  
Today I want to advise the House about our preparations for the forest fire season which will soon be upon us.

Hon. members will recall that last year the unusual weather and ground conditions left the forest in a highly flammable state much earlier than normal. Unlike the situation this year, we were having July temperatures in April and this, coupled with an early runoff that left the water table extremely low, led to the early outbreak of a number of fires. These conditions continued into the month of May with the result that major fires broke out, straining our resources to the limit. Throughout the season last year, there were a total of 193 fires that burned almost 190,000 hectares. Of this total, about 23,480 hectares contained commercial timber. In addition, of course, there was loss of private property, including two homes, seven mobile homes, four small sawmills and 72 cottages.

While we had made all the normal preparations last year for a fire season, the unusual weather conditions forced us to speed up the process of getting personnel

and equipment in place. This year, although the weather has been cooler and wetter than in 1986, we have undertaken extra measures and have started our regular preparations much earlier than normal, so as not to take any chances. We are well aware, of course, Mr. Speaker, that with the grass and shrubs, as well as the trees, not having yet greened up, even short periods of dry, sunny weather can dramatically increase the fire hazard. Therefore we are keeping an extremely close watch on drying conditions everywhere in the Province. At the same time, we have made arrangements to hire seasonal firefighters at virtually a moment's notice.

All fire equipment is now serviced and ready for instant use and our staff who manage firefighting efforts received extra training this past Winter.

Our fleet of six Canso water bombers is ready to fly and aircraft will be assigned to the various parts of the Province as conditions warrant.

In addition to the Cansos, Mr. Speaker, I am pleased to be able to advise the House that the first of the new CL-215 water bombers will arrive in the Province within a week or ten days and will be ready for service soon thereafter. Another CL-215 water bomber should arrive in about a month, and two more will be available to us in 1988.

Mr. Speaker, one very important aspect of preparation for the fire season lies with implementation of the forest fire regulations and the forest travel restricted order.

Both these sets of regulations ordinarily come into effect around

mid-May. Last year they came into effect May 18, but this year, Mr. Speaker, they will come into effect on May 8, some eleven days earlier than in 1986.

The regulations are important in that they set out conditions which must be observed by people working, living and travelling through forested areas. The regulations provide for the strict enforcement of safety precautions and they also serve as a means of information for people who want to carry out their activities in a safe and law-abiding manner. As usual, the regulations will be published in the Gazette as well as local papers within a few days.

This year, Mr. Speaker, we are launching a major public information effort to enlist the aid of the public in preventing forest fires. This effort will take the form of radio advertisements, which are scheduled to be on the air by this weekend. We found last year that all but a couple of fires were started as a result of some form of human activity - that is generally the case - most of which could easily have been prevented.

This year, with the help of our public advertising campaign, we hope to keep the fire safety message in people's minds throughout the fire season. We believe that most people in Newfoundland and Labrador are anxious to safeguard our vital forest resource from destruction by fire. While we are ready to fight forest fires at any time, Mr. Speaker, we also ask the public to keep fire prevention uppermost in their minds as they go about their daily tasks or relax in the woods. Thank you.

SOME HON. MEMBERS:  
Hear, hear!

MR. FLIGHT:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for Windsor - Buchans.

MR. FLIGHT:  
Thank you, Mr. Speaker.

We, of the official Opposition, have no problem with supporting and commending the minister on the initiatives he has outlined here today. We all remember the tragic or disastrous fires, particularly in Central Newfoundland, last year where, as he stated, property was lost. There was a sense that we were not in a very good state of readiness. As a result, properties were lost. I might tell the minister that since I had constituents who lost properties I am not at all, at this point in time, satisfied with the assistance that those individuals may have expected from the department or from government, particularly since they were caught in a situation where the fires, it could be argued, came and were disastrous as a result of the unreadiness, the unpreparedness of the Department of Forest Resources and Lands relative to the fires.

Mr. Speaker, I stated to the minister in Committee, and otherwise, that we are concerned about the proper disposition of water bombers. He took the advice seriously, he said, and would look at some of the recommendations we made with regard to making sure that the water bomber fleet is as effective as possible in fighting fires. I want him to know, also, that I called the appropriate

authorities within the past two weeks and got confirmation of our state of readiness, and his authorities confirmed to me that what he has outlined here today is basically what is being put in place and that they were ready, bearing in mind the early runoff, bearing in mind the mess we had to put up with last year and the loss to the forest and to individuals.

So we support his initiative, Mr. Speaker, and we hope there are no fires. But in the event there are, we would hope the minister has his people ready to combat the fires and that we will not see, regardless of how big an outbreak, a reoccurrence of last year.

In closing, Mr. Speaker, we were expecting the advertising; one can argue that that serves a worthwhile purpose. But we are quite confident on this side that the advertising in the newspapers will carry a picture of the minister. We have no doubt that that advertising will have a big, blown-up picture of the minister and we concur with that too, Mr. Speaker.

AN HON. MEMBER:

Even on the radio there will be pictures.

MR. FLIGHT:

Maybe even on radio they will have a picture, if it is possible to buy one.

Thank you, Mr. Speaker.

MR. SPEAKER:

Are there any further Statements by Minister?

MR. SIMMONS:

Mr. Speaker, could I raise a point of order, if I can get the attention of the Government House

Leader?

MR. SPEAKER:

A point of order, the hon. the Leader of the Opposition.

MR. SIMMONS:

It relates to the operation of the estimates Committees. My House Leader from Fogo (Mr. Tulk) is not here at the moment so I cannot confirm what kind of prior notice was given on the matter I am going to raise, but I will say to the minister that the schedule that had been issued to us for the subjects for estimates Committees indicated that yesterday morning at 9:30 a.m. Energy would be taken up. When our people arrived, Mines was taken up. We were given to understand that last evening at 7:30 p.m. Social Services would be taken up and arrived to find that Culture, Recreation and Youth was being done. Now, I wonder if that is the exception that proves the rule, that normally we are getting good information or not.

I put it, Mr. Speaker, into context with the indulgence of the House and the gentleman from Waterford - Kenmount (Mr. Ottenheimer). First of all, some of the press have indicated to me that apart from their other commitments, it being difficult to get here and cover those Committees, another problem that is frustrating their endeavours to make a plan is to arrive and find that the item they thought was being taken up is not going forward, not to mention, of course, the considerable inconvenience to members on this side of the House, who, you will understand, have assignments with respect to portfolios. In both cases we found ourselves with people other than the people assigned to the portfolios present

in the Committee for that. So I wonder could the minister respond on that matter or, more to the point, undertake that we will get due notice of any change in the projected schedule?

MR. OTTENHEIMER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. OTTENHEIMER:

All I can say in reply to that is that the announcement was made the last day before we recessed for Easter, and at yesterday's session, at the adjournment motion, the changes were indicated. So there were changes but the House was informed of them. I realize when there are changes that can be inconvenient, but they were not made without being announced in the House. What we will do now, at the suggestion of I am not sure which hon. members, is, instead of at the adjournment motion, announce the immediate schedule on the calling of Orders of the Day which is earlier on and it gives people more time.

MR. SIMMONS:

Thanks.

MR. SPEAKER:

Before calling for Oral Questions, I would like to welcome to the visitors' gallery sixteen Grade XI students and their teacher, Ellis Coles, from St. Peter's School, McCallum.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

I would like to welcome, also, twelve adults from Avalon

Community College with their instructor, Ruth Benson.

SOME HON. MEMBERS:

Hear, hear!

### Oral Questions

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Thank you, Mr. Speaker.

I have a question for the Minister of Environment (Mr. Butt), Mr. Speaker. I say to the Minister of Environment, Newfoundland Hydro is proposing a hydro project in the Meelpaeg Lake - Island Pond - Crooked Lake area, as the minister will know, smack in the middle of a major designated wilderness area. The purpose of that project is to increase the generating capacity of the Bay d'Espoir reservoir.

Here is the question, Mr. Minister. When did Newfoundland Hydro submit this project to the Department of Environment for an environmental assessment as required under the act?

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

March 31, 1987.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Windsor -

Buchans.

MR. FLIGHT:

Would the minister now tell the House of Assembly, tell me or tell the House through you, Mr. Speaker, what is the deadline that the Minister of Environment has set to receive comments or concerns from the general public on this very environmentally sensitive project?

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

Mr. Speaker, I should just take a brief moment to explain to the hon. member for Windsor - Buchans that once this project is registered, and it has been registered as of March 31, it then goes to the Environmental Assessment Committee, and the Environmental Assessment Committee will, within the next couple of weeks, come to me with a recommendation whether this should have a full Environmental Impact Statement and an Environmental Preview Report. I am waiting right now on the Assessment Committee, which has this project under review, and they will be advising me accordingly within the next couple of weeks.

MR. FLIGHT:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for Windsor - Buchans.

MR. FLIGHT:

Mr. Speaker, the Minister of Environment is displaying a very cavalier attitude here and is blatantly denying the rights of the general public to have input into this kind of thing. Because

the minister has set the May 5, five days from now, as the deadline for the general public of Newfoundland to have input into that particular project.

MR. SPEAKER:

Order, please!

MR. FLIGHT:

I want the minister to confirm whether or not he has set the deadline as May 5 and whether or not he has given any formal notice to the general public of their ability to write in and the date by which they can have input.

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

Mr. Speaker, I think once again that the hon. the member for Windsor - Buchans is confused, in that that project presently rests with the Environmental Assessment Committee, and I think he may have it confused with other projects that are ongoing with Hydro. In any event, the Assessment Committee will come to the minister within the next couple of weeks with some recommendations as to whether we will have a full Environmental Impact Statement, and Environmental Preview Report. If that happens, it will then go out to the public for public input, for recommendations from the public and so on. So I am waiting right now on the Assessment Committee to come forward with their recommendations on this project, Mr. Speaker.

MR. FLIGHT:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. member has had three, but a final supplementary, all right.

MR. FLIGHT:

I am asking the minister once more, Mr. Speaker, will he confirm that he set May 5 as the deadline for public input? The media of this Province, although there was no formal publication, received from his department a weekly newsletter indicating that May 5 was the deadline for the general public to have input into that particular proposal.

MR. BUTT:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

Mr. Speaker, I have indicated to the member already that the Environment Assessment Committee within the next couple of weeks will be bringing forward recommendations to me as to how we should proceed with this project. I realize that in this area of Island Pond it is a sensitive area, particularly for caribou, and I understand there are some cabins as well in the area. But these issues and these matters will be addressed at some future date, Mr. Speaker, not now.

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, my question is to the Minister of Municipal Affairs (Mr. Doyle). Mr. Speaker, last night in Port au Choix the Town Council took an unanimous decision to never drill wells in that town again because the four wells that had been drilled in the past in search of water, at a cost of

\$212,000, have proven to be wasteful, Mr. Speaker. And I would like to ask the minister why did he ignore the recommendations contained in a study paid for by his department that clearly said the only long-term solution to this very serious problem was to construct a water line from Port au Choix to Taylor's Pond in Port Saunders? Why did he ignore his own departmental paid for recommendations done by an independent outside engineering group, which told him that was the only long-term solution, instead of pussyfooting around with the silly, foolish drilling of wells in the bog?

MR. BAIRD:

Where were you this morning when the estimates were on?

MR. DOYLE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

Mr. Speaker, the hon. gentleman better think again if he feels that that was the only recommendation the consulting engineering people -

MR. FUREY:

The only long-term solution.

MR. DOYLE:

The hon. gentleman now can be quiet until I am finished answering the question and then he will have his chance for a supplementary. But in the meantime, Mr. Speaker, the community of Port au Choix is having some problems with the wells down there. This year we approved \$100,000 to drill additional wells to supplement the

supply that they have. Now for all intents and purposes the community of Port au Choix is considered to be fully serviced from that point of view. But they do have problems at selected times during the year when the fish plant is running full tilt and the level of the water in the wells go down. As a result of that we commissioned an engineering group - I forget the name of the engineering group - Newplan, to do a study on that particular area, and they indicated to us that the most efficient way, granted, would be to develop a new supply called Tom Taylor's Pond, I believe, at a cost of roughly \$2 million to \$3 million. Now, \$2 to \$3 million is a very large amount of money to have to put into one area of the Province when we have an awful lot of areas in the Province that do not have any supply of water at all. The district of St. Barbe is serviced to the tune of 88 per cent, Mr. Speaker, so we decided it in our wisdom, and on the recommendation of that Newplan Group, which, when I met with them, said that while the most efficient means of servicing Port au Choix might be to go back to Tom Taylor's pond at a cost of \$2 to \$3 million, there is a good possibility that you might be able to find additional supplies of water if you put in place \$100,000 to drill maybe seven, eight or nine different wells. Now, the hon. gentleman can cloud the issue all he likes, but the fact of the matter is we are making a very, very concerted, conscientious effort to see that the town of Port au Choix receives a good, steady, potable supply of water.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

What a crock!

Mr. Speaker, I want to make it clear that Port au Choix was not given a gift of \$100,000; they were given approval to borrow \$100,000 to drill another useless unhealthy well. Now, I want to ask will the minister give the town permission to borrow this \$100,000 to do a proper engineering study in preparation for the only real long-term solution, to connect it up to the Port Saunders water supply? Because I understand from that meeting last night they do not want to borrow money to drill another useless well in a bog which has proven to be unhealthy. I do not know how many times beyond the acceptable iron content some of these wells contain, but it is just not working. He knows that. They have been after this for five years. Will you give permission to change the borrowing authority to use the \$100,000 for a proper, decent, constructive engineering study to get on with the final solution?

MR. SPEAKER:

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

As usual, Mr. Speaker, all I have heard over the last couple of days are inaccuracies, and again the hon. gentleman is wrong. Port au Choix has not been given approval to borrow \$100,000 in this budget; they have been given \$100,000 the same as every other community in this Province. The hon. gentleman is trying to cloud the issue and say that we have only given the town of Port au Choix approval to borrow. We have approved \$100,000



for Port au Choix in this capital programme, and it is not approval to borrow. So, Mr. Speaker, again, we are very, very concerned with the situation in Port au Choix, especially as it pertains to the fish plants in that community. As everybody knows, jobs are very, very important in Port au Choix or in any other area of the Province, and we are making a very, very concerted effort to ensure that the jobs in Port au Choix are protected, and that is why we have approved \$100,000 to ensure that there is a good supplement to the existing supply that they have there. It would very nice, Mr. Speaker, and government would love to be able to do it, to provide the \$2 million or \$3 million that is going to be required to put in a new supply, a second supply. A lot of areas in the Province do not have the first supply, and the hon. gentleman wants a second supply. We would love to be able to provide the extra \$2 million or \$3 million needed to go back, I believe it is about a mile, if I am not mistaken, behind the community of Port au Choix to a place called Tom Taylor's Pond to bring a transmission line from that area out to the community. That is a very, very expensive undertaking. Eventually, Mr. Speaker, that is what may have to be done at some point in time, but we have to exhaust every opportunity right now and approve \$100,000 to dig additional artesian wells. We might have to dig ten additional artesian wells, that is why we approved the full \$100,000 for that purpose, so that the jobs in Port au Choix would be protected and that the fish plant can continue to operate with normal water levels.

MR. FUREY:

A final supplementary.

MR. SPEAKER:

A final supplementary, the hon. the member for St. Barbe.

MR. FUREY:

It is almost laughable to talk about those towns that have their first supply. It is great to have a first supply, but what is so good about it if it does not work?

Mr. Speaker, I want to ask this minister to come clean with the people of Port au Choix and tell us on the floor of this House today what were the criteria for approving these grants? Was the criterion the protection of jobs? Because we saw 450 jobs be in jeopardy last year, Mr. Speaker. I want to ask the minister what he intends to do should the town be forced to be in a position again this year to say to the FPI fish plant in Port au Choix, Sorry guys, no water, shut it down and 450 people will be put out of work? What was the criterion and what will you do if they are thrown out of work?

MR. SPEAKER:

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

Mr. Speaker, the hon. gentleman should spent some time in the House, because I have gone through the criteria a couple of times during the week, but for the hon. gentleman's benefit I will go through the criteria again for him. The criteria that the Department of Municipal Affairs use in approving grants or guarantees for communities to put in water supplies include, naturally, the cost which is taken into consideration; whether or not it is a new system or a

continuation of an old one; the population of the municipality; what jobs and businesses are located in that area, jobs that have to be protected - that is why we funded Port au Choix - special health and environmental problems that might be associated with that particular region of the Province; the estimated cost per property to be serviced; a big one, Mr. Speaker, and one which we pay very, very close attention to is the potential future development in the area, like fish plants and what have you; the financial responsibility of the community; an agreement of at least 80 per cent of the property owners to connect to the system once it is put in place, and on and on and on it goes. I want to give the hon. gentleman a copy of criteria that we use so that he will not have to stand up and waste the time of the House asking those foolish questions on the criteria. The hon. gentleman knows what the criteria happen to be. It is the protection of jobs when it comes to the people of Port au Choix, and that is why we have, Mr. Speaker, approved the money that we have for Port au Choix. The hon. gentleman, Mr. Speaker, is not going to be able to go down to his district any more and say, 'The Government of Newfoundland and Labrador is discriminating against you,' because we have told them how much we have approved for the district. Now it is serviced to the tune of 88 per cent, and the hon. gentleman does not have his thunder now.

MR. LONG:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for St. John's East.

MR. LONG:  
Thank you, Mr. Speaker.

My question is for the Minister of Labour (Mr. Blanchard). My question concerns an occasion that took place just two days ago near the grounds of the building that we all work in, and it was to commemorate April 28 as the National Day of Mourning for workers who have lost their lives on the job. This day was recognized last year by the federal government. It has been promoted by the Canadian Labour Congress, which was represented, and the Mayor of the City of St. John's was there and the Deputy Mayor of Mount Pearl was there.

MR. SPEAKER:  
Order, please!

MR. LONG:  
My question to the minister is: Has the minister or his government given consideration to acknowledging this day and participating in an annual commemoration for workers who have lost their lives due to industrial accidents or injuries?

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

MR. BLANCHARD:  
Mr. Speaker, first of all, I did not know about the ceremony. I heard about it this morning when I had occasion to officially open the annual conference of the Newfoundland Industrial Health and Safety Association at the Holiday Inn. I heard this morning, for the first time, about the ceremony that took place at the monument of the Ocean Ranger disaster. Consequently, I was not informed by organized labour about that.

Secondly, Mr. Speaker, I have a

copy of a letter on April 28, the day that the Federation of Labour was asking to have recognized by government as a Day of Mourning for those people who lost their lives through accidents or employment related diseases. Mr. Speaker, I took it up with the Premier's Office, because the letter had been written to the Premier, and the Premier's Office had not received the letter. I do not know if they left it until April 27, or whatever, to send it in, but it was not received. It is regrettable, and I expressed my regrets this morning, Mr. Speaker, in opening the conference on Occupational Health and Safety.

MR. LONG:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for St. John's East.

MR. LONG:

Thank you, Mr. Speaker.

A supplementary to the Minister of Labour. In light of the annual report of the Workers' Compensation Commission and the address that he would be giving today to the Industrial Association of Newfoundland and Labrador, which has raised concerns in the annual report about the increase in the number of reported claims to the Commission for injuries on the job, are the Minister and his department undertaking to put in place mechanisms to ensure health and safety is more closely monitored at the work site in this Province?

MR. SPEAKER:

The hon. the Minister of Labour.

MR. BLANCHARD:

Mr. Speaker, regrettably we still have accidents in the work place, despite the fact that we have a very high profile, a very good and experienced group of people working in our Occupational Health and Safety Division. There is great co-operation between it and the organization that I just referred to, the Newfoundland Industrial Health and Safety Association. We are all trying to avoid those types of things, Mr. Speaker, and large sums of money are being spent each year to bring it down. But unfortunately, Mr. Speaker, from year to year the number of accidents in the work place varies so it depends. We heard of a very unfortunate accident last weekend. I guess it is difficult to lay blame, it is one of these things, accidents will occur, but through the Workers' Compensation Commission, through education units and pamphlets, visits by highly trained occupational health and safety people, we are continually, Mr. Speaker, trying to bring down the number of accidents that occur in the work place. That will go on and will be escalated, Mr. Speaker, from year to year.

MR. LONG:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary.

MR. LONG:

Could we take from the minister's remarks that he is supporting the proposal being put forward to his department by the Industrial Safety Association to establish health and safety committees, to improve and upgrade the health and safety committees, the proposal that they have said publicly they have given to this department? Does he support the proposals that

association is bringing forward?

MR. SPEAKER:

The hon. the Minister of Labour.

MR. BLANCHARD:

Mr. Speaker, to this particular point in time I have not received the proposal that the hon. member speaks of. Obviously, when I receive that proposal my officials and I will give it full consideration with a view to doing something about it if it is a worthwhile suggestion.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Mount Scio-Bell Island.

MR. BARRY:

Mr. Speaker, I would like to ask the Minister of Transportation (Mr. Dawe) - he was here a second ago so I assume he is just outside; I see him coming - is he aware of the problems regarding the Bell Island ferry service? The John Guy, because of a rudder damaged in ice earlier in the season, has cut back on the frequency of service to the Island, to the great inconvenience of commuters, and the Katherine, which was supposed to have been back in operation this week, apparently is having more stringent requirements for refitting laid on her by the Canadian Steamship Inspection Branch of government as a result, I think, of the tragic ferry disaster off Belgium there a little while ago. Would the minister advise whether his department is going to be able to ensure that the Katherine is back in service while the John Guy's rudder is being repaired, or are commuters to Bell Island

going to have to put up with this terrible inconvenience for much longer?

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DAWE:

Mr. Speaker, of course the question had a lot of the answer in it. Indeed the Katharine has its refit completed. I experienced some further requests from CSI, as it relates to waterproof doors and this sort of thing as a result of the accident off Belgium. Materials to do those repairs have been ordered by the company and are on the way. We have communicated with CSI that fact and, due to the other problems that we have with the John Guy, have asked if the boat could go into service. Obviously she is in the same excellent condition at this point in time as she has always been in. Whether or not the boat could go into service until such time as the material is in, could be put into service and the material replaced while the vessel is still being used, we should have word on that later this afternoon. At such time as I find out, we will be able to inform the House or the member.

MR. BARRY:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, I think the minister has clearly stated the situation. It would seem it is less hazardous to have a ferry which is running in the same condition as it has

run in for the last several years, although without the watertight doors that now seem to have become a requirement because of this other ferry disaster, than having a ferry running with a damaged rudder.

I would ask the minister whether he would take a look at the contract between his department and Vanguard Paper Company, formerly Newfoundland Transportation Company, with a view to determining whether, in fact, that company is living up to its obligation to provide a full, regular service to the commuters of Bell Island.

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DAWE:

Mr. Speaker, as hon. members realize, that particular contract was entered into a couple of years ago. The adjudication as to whether the contract is being lived up to by the company is an ongoing process. Certainly I will ask my officials to have another look at it to make sure that every obligation under that contract is being met by the company. That, I would assume, is the normal procedure and it has been done. Items that were not according to contract have been brought to my attention before in other services and have been corrected. I am sure that the staff, if they see something that is out of place or somehow is not being lived up to, will inform me. But in any case I will ask to have an extra careful look taken at the present time.

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. SIMMONS:

MR. Speaker, I have question for the gentleman from Kilbride, the Minister of Rural, Agricultural and Northern Development (Mr. R. Aylward). Mr. Speaker, I had the good fortune to be at the annual meeting of the Newfoundland and Labrador Rural Development Council last week.. The minister was conspicuous by his absence. Even more conspicuous was the absence of the real minister, the gentleman from Torngat (Mr. Warren), who was dearly and sorely missed.

My question, Mr. Speaker, is: Was the absence inadvertent? If so, why was some communication not forwarded to that council, which, I say to the minister, was very upset and recorded the degree of its being upset during its deliberations? Why is the department or the government or the minister boycotting that organization after so many years of wanting to be close to the organization? Was it a boycott or was it indeed not a boycott but rather an inadvertent absence that somehow did not get explained to the people at that meeting?

MR. R. AYLWARD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Rural, Agriculture and Northern Development.

MR. R. AYLWARD:

Mr. Speaker, I certainly wish to thank the hon. member for his question. It does give me an opportunity to explain firsthand, in the House of Assembly the inadvertent absence, which I

guess, is what it was because it certainly was not a boycott. I attended more meetings with development associations over the last two and a half years than any other type organization in the Province.

SOME HON. MEMBERS:

Hear, hear!

MR. R. AYLWARD:

It is one of the reasons, Mr. Speaker, that my entertainment and travel budget is so high.

SOME HON. MEMBERS:

Hear, hear!

MR. R. AYLWARD:

Mr. Speaker, I unfortunately did not get a telegram to the council before their meetings, which certainly is my responsibility. The advertising budget maybe was down a little on that one. But I did talk to the Executive Director, Mr. Collins, the Monday or Tuesday before the meetings and I explained to him that the invitation came late. I guess I only got the invitation in the mail the Thursday or Friday before. I had the dates committed already for several important functions in my district, as a matter of fact, and I was unable to get to the meetings. I told the Executive Director that if they were stuck - I noticed on their programme there was no guest speaker - I would certainly rearrange my schedule and try to accommodate them. They apparently expected to have the Federal Minister of Transport (Mr. Crosbie), and apparently the invitations got to that minister also a bit late and he could not rearrange his schedule.

So it is unfortunate that I did not get an explanation to the

meeting, that is certainly my fault. But certainly in no way was it a boycott of the meeting. The Development Associations and the Rural Development Council are provincial and regional. They are doing an excellent job of trying to create jobs and develop their own regions of the Province, and I am completely and fully supportive of their efforts.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. SIMMONS:

A supplementary to the same minister. I thank him for his response. The word around the room was that he had found something more important to do, and he has confirmed that. The word around the room also was that he had a good record fored meetings in the past, and that made his absence and the lack of explanation for his absence all the more significant.

May I ask him, then, and this is a concern that was reflected to me during the meeting as well -

AN HON. MEMBER:

What were you doing there?

MR. SIMMONS:

Generally having a good time.

Mr. Speaker, may I ask him if his absence can in any way connote any lack of resolution, lack of commitment on his part insofar as a new federal/provincial funding agreement is concerned? He will be aware that the organizations

can be concerned on that matter. And could he give the House, and through it the people directly involved in the Rural Development movement, the assurance that it is full speed ahead insofar as copper fastening a successor agreement to the present one, in terms of federal/provincial rural development funding, is concerned?

MR. R. AYLWARD:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Rural Agriculture and Northern Development.

MR. R. AYLWARD:  
Mr. Speaker, one thing I forgot to mention when I answered the first question of the hon. member was that 'the real minister, the member for Torngat Mountains' did not receive an invitation first nor last. So his schedule was not such that he could attend the meetings. When I told him I could not go, and asked him to go, which was certainly at the last minute, his schedule also was filled.

Mr. Speaker, as for the question the hon. the Leader of the Opposition just put to me, the Government of Newfoundland and Labrador have been working, and certainly my department has been working pretty well for the last year, and certainly making an extended effort over the last few months, to prepare our proposal to put to the federal government for the new Rural Development Subsidiary Agreement III, I believe it is called. We are fully supportive of the efforts of the Council in trying to conclude an agreement with the federal government. We are endeavouring to have this agreement signed by the end of this fiscal year, we

need it by March 1988. To date we foresee no unusual problems, except for the dollars amounts maybe, but no unusual problems or no resistance from the federal government to having a new agreement signed by the end of this fiscal year.

MR. SPEAKER:  
Order, please!

The time for Oral Questions has elapsed.

#### Notices of Motion

DR. COLLINS:  
Mr. Speaker.

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

DR. COLLINS:  
Mr. Speaker, I give notice that I will on tomorrow move that the House resolve itself into a Committee of the Whole to consider certain resolutions relating to the raising of loans by the Province (Bill No. 31); and

That the House resolve itself into a Committee of the Whole to consider certain resolutions relating to the guaranteeing of certain loans under The Local Authority Guarantee Act, 1957 (Bill No. 30); and

That the House resolve itself into a Committee of the Whole to consider certain resolutions relating to the advancing or guaranteeing of certain loans made under The Loan And Guarantee Act, 1957 (Bill No. 29); and

I will on tomorrow ask leave to introduce a Bill entitled, "An Act To Ratify, Confirm And Adopt An

Agreement Between The Government and The Government of Canada Respecting Reciprocal Taxation of These Governments and Their Agencies" (Bill No. 32); and,

Mr. Speaker, I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The Government-Kruger Agreements Act" (Bill No. 25).

MR. OTTENHEIMER:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Government House Leader.

MR. OTTENHEIMER:  
I give notice I will on tomorrow ask leave to introduce a bill entitled, "An Act Respecting The Department of Energy and Other Matters Related or Incidental Thereto."

### Petitions

MR. FENWICK:  
Mr. Speaker.

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

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

I rise to present a petition on behalf of 1,210 individuals who are residents of social housing or subsidized housing both here in St. John's and on the West Coast.

Mr. Speaker, I will read the prayer of the petition: "We, the undersigned, petition the House of Assembly to support a change in subsidized housing policy to set the rent at 25 per cent of net income rather than 25 per cent of

gross income so that working people living in subsidized housing are given a break."

Mr. Speaker, the petition itself is one that has been circulated by an organization known as The Umbrella Tenants Association. The association, Mr. Speaker, is a group that represents a number of tenants associations established in public housing both here in St. John's and across the Province.

It is an important petition because it comes from individuals who, in the past, have not been, in my opinion, as vociferous as they should be in asking for rights and asking for changes to legislation and regulations that affect them. The purpose of this petition, Mr. Speaker, is to address the major problem of the individuals who live in subsidized housing and who work and have an income but, as a result of deductions that are made from that income, including the 25 per cent that has to go for their rent, find themselves in very difficult circumstances at the end of each week.

Just to explain the purpose of the petition, if an individual was on social assistance and was living in subsidized housing, then they would not have to have 25 per cent of their income deducted for housing. That would be done by the Department of Social Services and indeed the Department of Social Services would only deduct about 16 per cent of what they are making.

This petition addresses the problem of individuals who are living at minimum wage, trying to eke out a living in a society in which it is extremely difficult to put enough money together in order



to meet the weekly expenses.

Unfortunately, for every individual who is working there are a list of deductions that have to come off their income before they have enough money left to pay their rent, enough to pay their groceries, buy clothing and so on, the necessities of life. These include unemployment insurance premium payments; they include Canada Pension Plan payments; they include income tax deductions and other deductions that have to be made from individuals who have an earned income. When these deductions are taken off, the amount of money that is left for people working in marginal jobs is so small that it is very difficult for them to continue to make ends meet. What this petition is asking for is that instead of taking 25 per cent of the gross income an individual makes, that these legitimate employment deductions be taken off first and that only the net income be used as the calculation. In this way these individuals, who have such a hard time making ends meet, will hopefully have a little bit of money left over to be able to pay for the other necessities of life.

Mr. Speaker, a copy of this petition has also been delivered to the Official Opposition. I am hoping that the Leader of the Official Opposition (Mr. Simmons), or one of the members of the caucus, will also address it. I think it would be very important that we also get a response from the government side of the House, preferably one of the Cabinet Ministers. The same question was raised yesterday in the housing estimates with the minister responsible for housing. It is extremely unfortunate that minister is not here because we

would like to hear his response to it. But I believe the issue was brought up to him so he is aware of it.

Probably the most appropriate person to respond to it now would be the Minister of Finance. Notice in the prayer of the petition all we are asking is for the House to endorse the principle of it. We do know that one of the problems would be that we would have to get agreement with the federal government since it is a federal/provincial agreement. However, we would like to hear some commitment by the government side to this very reasonable request from over 1,200 individuals who live in subsidized housing in our Province.

It gives me great pride to present this petition to the Clerk. I ask that it be presented to the department which is concerned. Hopefully, others will speak in support of it.

Thank you very much, Mr. Speaker.

MR. SIMMONS:  
Mr. Speaker.

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

MR. SIMMONS:  
Mr. Speaker, I have much pleasure in supporting the petition just presented by the gentleman from Menihek (Mr. Fenwick). I had the good fortune to have two representatives from the Tenant's Association call at my office earlier today and do us the courtesy in the official Opposition of alerting us to this petition with more than 1,200 signatures.

Now, Mr. Speaker, there could be a lot more signatures and I hope nobody in this Chamber, particularly on the government side, goes out of here feeling that 1,200 is not many. Twelve hundred are speaking for a lot of other people out there who, through work commitments, were not at the door maybe when the petition came by. Do not underestimate their commitment to this particular issue. Five thousand people plus out there are in those types of units across this Province, including those from St. John's and Corner Brook and Stephenville who signed their 1,207 names here.

Mr. Speaker, it is too bad the minister is not here. He probably has some other commitment. I know a copy of the petition has been placed on his desk just about the time I received it or a few minutes after. I know he will want to respond in time. I hope in his absence the Minister of Finance (Dr. Collins) or some other minister of government will give the assurance to the House and to those people that this request, the prayer of this petition, will be taken seriously and, secondly, an effort will be made to address it.

It is an entirely sensible proposition. It is not complicated. It just simply says, 'Give us a break, a small break.' It does not say 'Give us free housing.' It says, 'Instead of 25 per cent of gross being taken for the rent, could you consider making it 25 per cent of net and reduce it that little bit.'

I put to you in this Chamber and in the Gallery, if you think of that in terms of your own income, it might not amount to a lot of

dollars. For those people it amounts to even fewer dollars. So they are not asking for a lot, they are just asking for a break here, allow them that little extra bit of leeway or maneuverability in their budget to buy the groceries and to keep the footwear on the children.

These are the poor, Mr. Speaker. These are the people who do not have much flexibility in terms of their budget. There is not too many things they can do with the few dollars that they have at their disposal.

So on behalf of my colleagues in the official Opposition, I would make an impassioned plea that this prayer be heard and that it be addressed by the Minister of Mines and Housing (Mr. Dinn) and by the gentleman who controls the public purse, the gentleman from St. John's South, the Minister of Finance. Let us recall again and let the record show that this minister ballooned the deficit this year from \$42 million to \$176 million in one year. I say, Mr. Speaker, certainly a few shekels of that amount could be found to help underwrite the costs implied in this petition.

One further point, Mr. Speaker, I understand that there are levels of government involved here. I would hope that with the good relationship that we have been told about between Ottawa and Newfoundland that that will not be held up as any impediment, the fact that another government is involved in Newfoundland and Labrador Housing.

So I appeal to the Minister of Mines and Housing, in his absence, and the Minister of Finance, who is here, to do their best, to now

make the commitment to those people, make a commitment now publicly that this prayer will be dealt with in a reasonable manner and a request will be acceded too.

We have much pleasure, Mr. Speaker, in supporting the prayer of this petition.

MR. SIMMS:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:  
Mr. Speaker, I will speak just briefly to the petition on behalf of the Minister of Housing, who is not here at the present time. I am not quite sure where he is, and if he was I am sure he would provide a much better answer than I am about to provide because my answer is going to be somewhat limited.

Other than to suggest to the member for Menihek that I will ensure that the minister is made aware of the comments made by the member for Menihek and the member for Fortune - Hermitage in support of the petition and ask him if perhaps he can provide an explanation to the member or, indeed, to the petitioners by writing the first name on the petition, as is the usual procedure, I am not sure if this is a standard system employed throughout Canada, for example. I really cannot answer the kinds of questions that have been raised here today. But I will gladly take the petition and ensure that the Minister of Housing gets a chance to view it and responds to the appropriate people at an appropriate time.

MR. SPEAKER:  
Any further petitions?

MR. FUREY:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for St. Barbe.

MR. FUREY:  
Mr. Speaker, for the second time since I have been elected to this Chamber I rise to present a petition with respect to schools throughout my district. I wish I could say that it gave me pleasure to talk about the problem that we are experiencing in this particular part of my district, Cow Head.

The prayer of this petition, Mr. Speaker, reads: "We, the undersigned, petition the Government of Newfoundland and Labrador for funds to construct a new school at Cow Head for Grades VII to XII to serve the communities of St. Paul's, Parson's Pond, and Cow Head."

There are hundreds of signatures here, Mr. Speaker, from these three communities. I wish I could say some good things about this school, Mr. Speaker, but after meeting personally with the Home and School Association, visiting this school on the occasion of Education Week and speaking to the high school students there, I noticed that the structure is in absolutely despicable and horrific condition.

Mr. Speaker, the letter that was attached to this petition from the concerned parents of these three communities pointed out to me that during the 1985 election campaign the former Minister of Education, Ms Verge, announced a \$60 million programme for new school

construction in the Province. Now, the state of this high school in Cow Head is in desperate need, Mr. Speaker, not of simple repairs to a window or repairs to a floor, this school has to be levelled. There are no 'ifs', no 'ands', and no 'buts'. It cannot be patched. It is just not a safe place for the education of our children.

Mr. Speaker, when this school was first built, interestingly enough, times were tough twenty-five years ago. So the local people donated their own time and labour to go into the woods, and cut the necessary wood. They gave free labour, freely of their own time and energies, to build this school and make it possible to house these students. What is interesting is the current enrollment at this school is 230 students. Initially when the school was built twenty-four years ago it was built to accommodate 150 students. What we have is a school purposely built for x number of students and we now have an overflow of eighty. We have an overflow of eighty students.

It may almost bring some of you, who read Charles Dickens, back nostalgically to high school, but some of the things I am about to say may sound as though it were right out of his novel. Mr. Speaker, sagging floors on the upper level tells us that the foundation is weakening. Ceiling tiles in the corridor are stuck up with masking tape all over the place. There is no inside entrance to the gymnasium.

MR. MORGAN:

It is not the member's office is it?

MR. FUREY:

We will ask the member for

Bonavista South to put a couple of bales of cotton in his ears. I am sure he knows what I am talking about. We will get to that another time.

Mr. Speaker, there is no entrance to the gymnasium from this school so picture the children showering after gym classes, after physical education, coming out with wet heads between schools in freezing, cold conditions.

Now, Mr. Speaker, protect me from the member for Bonavista South with a couple of bales of cotton, c-o-t-t-o-n, in his ears.

MR. MORGAN:

You can spell can you?

MR. SPEAKER:

Order, please!

MR. FUREY:

Mr. Speaker, the lighting in the building is inadequate.

MR. MORGAN:

Tell us (inaudible).

MR. FUREY:

We will get to that another time. Will we ever get to that another time.

Lighting in the building is inadequate. The existing lighting system has a number of fixtures that are not working. Get this, Mr. Speaker, the tiny little cafeteria is a regular classroom and for access to get to the gymnasium, you have to walk through the cafeteria, quasi classroom, to get to the gymnasium. Picture a teacher giving a lesson and a crew coming through his class every twenty minutes to get to the gym and back out with their heads soaking wet in the freezing cold cutting back

through the gymnasium to get to regular classes.

So, Mr. Speaker, there is constant interruption and the lack of space causes the cafeteria, the home economics room -

MR. SPEAKER:  
Order, please!

The hon. member's time has elapsed.

MR. FUREY:  
I beg your pardon, Mr. Speaker.

I thought I had five minutes.

MR. SPEAKER:  
The hon. member has already had eight minutes.

SOME HON. MEMBERS:  
By leave.

MR. FUREY:  
By leave, Mr. Speaker.

MR. SPEAKER:  
By leave.

MR. FUREY:  
So the lunch room is a regular classroom. Mr. Speaker, during the past four years, we have a stove there for home economics but no proper electrical hook-up to use the stove to teach home economics.

The computer room, which was originally used as a coal bin, get this, a coal bin, is presently being used as a regular classroom. Talk about Charles Dickens revisited. It has five computers for seventeen students and the classroom also serves as access to the gym, interrupting the computer classes on the way to the gym.

Mr. Speaker, I could go on and on

but let me say this: What was constructed twenty-four years ago to serve 150 children in three communities is no longer good enough. We have an excess number of students, eighty in total, and it is just disgusting, 230 students crammed into a structure built for 150. That is outrageous.

The general physical structure of this building, I say to you, Mr. Speaker, and I say to all members, is extremely unsafe. There is only one answer. Put us on the priority list for a new school. Level that old school. It is no longer in proper functioning condition. Give our children the proper facility, as is given to other children, particularly in urban centres, a decent new satisfactory facility where our children can learn and learn in a comfortable, decent environment. That is not asking to much, Mr. Speaker. The hon. Minister of Justice (Ms Verge) wondered where that was. That was Cow Head.

MS VERGE:  
I was there.

MR. FUREY:  
You have been there. Of course you have been there. You saw the deplorable state when you were the Minister of Education. Were you not shocked? Was that not pathetic? Was that not ridiculous? No wonder you announced \$60 million for new schools. Now, I hope you will speak up as the former Minister of Education and get some of that chunk of change you talked about in the 1985 election for these children in the North.

Thank you, very much, Mr. Speaker. We will get to the hon. member for Bonavista South soon

enough. Poor, pathetic child.

MR. SPEAKER:  
Order, please!

DR. COLLINS:  
Mr. Speaker.

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

DR. COLLINS:  
Mr. Speaker, I think the Minister of Education will be glad to receive this petition. Unfortunately, he cannot be in his place at this particular moment but I am sure he will be most interested to receive this. I am sure he will read Hansard and consider the words put forward on behalf of the students at the school and the parents in Cow Head.

I think the member is to be complimented on bringing this matter to our attention, not that it needs to be brought to our attention because education is very much in the minds of this government. We have done tremendous things for the educational system, both the primary, secondary and the post-secondary levels of education in this Province ever since we have had the responsibility of public affairs.

That is not to say enough has been done. It will be a long time before enough is done for education in this Province. Many areas of the Province have requirements and demands. We will, to the limited extent we can, try to accede to their wishes.

It is interesting to see that this school has been in place now for twenty-four years. I remember the school I went to, I think, it had

been in place for seventy-eight years, when I went to school there. When it was originally built I think it had a student complement of about 180. When I was there I think it had a student complement of 320. This shows the tremendous pressure put on the school system in this Province by our large number of children in our population.

Of course, we have one of the highest portions of children in the population in Canada. It is declining in recent years, but traditionally we have had more children under the age of fifteen than almost any other provincial population. It puts a tremendous pressure on the Province, the small population of the Province and the limited financial means of the Province. But we endeavour to do what we can.

Now the means we have for doing that is through the various denominational systems. So the government itself does not actually build schools. The petition asked government to do something about this particular school. All I can say is that we will certainly pass on that concern. It is not likely that we ourselves as a government will build the school because that is not our system but we will certainly pass on the concern expressed by the families mentioned.

MR. DECKER:  
Mr. Speaker.

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

MR. DECKER:  
I stand to support this petition which was so ably presented by my

colleague for St. Barbe (Mr. Furey). I can speak with a little more passion than the hon. the Minister of Finance (Dr. Collins), because I belong to the Northern Peninsula and I am familiar with this particular school. I know that there is nothing funny or laughable about a classroom or a school which was built for 150 students to now be overcrowded, I believe, my colleague said there are 300 students in there now.

MR. FUREY:

Nearly 300 students.

MR. DECKER:

What we have here, Mr. Speaker, is a school which was built before busing was forced on rural Newfoundland. The school was built, Mr. Speaker, for another age, not I should say unlike the Minister of Finance, whose thought frame seems to be in another age. This school is totally out of date.

The school, as I understand the petition, is situated in the St. Barbe Integrated School Board. Over the years I have service as Chairman of several school boards around this Province. I can tell hon. members of this House, Mr. Speaker, that the St. Barbe Integrated School Board is just as anxious to replace that school as any hon. member in this Assembly, as any parent in Cow Head, and as any student in Cow Head. The will is there to replace this school.

So the problem cannot be shrugged off the shoulders of this government and placed on to the denominations or placed on the St. Barbe Integrated School Board. The whole reason that the school board is not replacing this school, Mr. Speaker, is because they do not have sufficient money

to replace this school. This is what has happened.

The whole thing is bigger than even the denominational education system. It is bigger than our own provincial economy. The fact of the matter is this government realizes that they are unable to meet the educational needs of this Province, as they are unable to meet the health requirements of this Province, and that they have to get federal transfer payments. They cannot allow the amount of transfer payments to drop. They must be made bigger because we, in this Province, are unable to meet the requirements which are out there.

Now, Mr. Speaker, the way to do that, I would suggest, is not to take strips off the federal government every time it seems politically expedient to do so. There has to be a reasonable approach. Because, Mr. Speaker, the good will is there between Ottawa and this Province. The will is there to help us, but the desire is not there in this particular administration. They want to make political points out of everything. This is the whole problem. If they could only get their act together, as they promised us on the eve of changing the present administration in Ottawa, we could have transfer payments for our schools, and we could have transfer payments for our hospitals. But they are more interested, Mr. Speaker, in making political points than they are in getting larger grants for education. As a result you have children in Cow Head being bused from all over the Peninsula, being put into a school which belongs to a former age and which is totally unsuitable for this age.

Mr. Speaker, I have another point I would like to touch on. If that school in Cow Head were to be replaced within the next year, I would suggest it would cost probably close to \$2 million. I believe that it is time, Mr. Speaker, for someone in the Department of Education to look into the cost of school construction in this Province. I understand a school which was built in Mount Pearl cost somewhere between \$5 and \$7 million.

We are building structures today for our educational system, the few that we can afford to build, at an astronomical price. We are building structures that are going to last 100 years. But, Mr. Speaker, I would challenge anyone in this Province or anyone in this Nation to tell me where education is going to be in fifty or a hundred years. Where is it going to be in ten years? We do not know where we are going with education, Mr. Speaker.

MR. SPEAKER:  
Order, please!

The hon. member's time has elapsed.

DR. COLLINS:  
Mr. Speaker, by leave, I guess, just before Orders of the day, I wish to outline the budgetary Committees.

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

DR. COLLINS:  
Tonight, Thursday, the Resource Committee at eight o'clock will be dealing with Development and Tourism. Then on Monday at nine-thirty a.m. in the morning, the Resource Committee will be dealing with the Department of

Energy. On Monday, the Government Services Committee in the evening, 7:30 p.m., will be dealing with the Department of Finance.

MR. BARRY:  
When is Justice going to be done?

DR. COLLINS:  
Justice, I am not quite sure. I do not know if the Minister of Justice knows. Perhaps the Minister of Transportation could ask the Minister of Justice, who is speaking to the Minister of Career Development and Advanced Studies. When is Justice coming up?

MS VERGE:  
I am told by the Chairperson of the Committee, the member for St. John's North (Mr. J. Carter), that it will probably come up sometime next week, probably next Thursday. The hon. member will be given ample notice.

#### Orders of the Day

DR. COLLINS:  
Order 11, Bill No. 7, Mr. Speaker.

Motion, second reading of a bill, "An Act To Amend The Unimproved Lands (Redistribution) Act." (Bill No. 7)

MR. SPEAKER:  
I understand debate on this bill was adjourned by the hon. member for the Strait of Belle Isle.

MR. SIMMS:  
Yes, Mr. Speaker, but nobody rose so I am closing debate on the bill.

MR. SPEAKER:  
The hon. the Minister of Forest Resources and Lands. If the minister speaks now, he closes the



debate.

MR. SIMMS:

If I could get that briefing note from my colleague, the Minister of Transportation, just to briefly summarize without delaying too long.

Earlier, I had opportunity to talk to the Acting House Leader, the member for St. Barbe, with respect to this bill. As I indicated when I introduced the bill several weeks ago, it is an extremely important piece of legislation although it is a very minor one.

I appreciate the co-operation of members opposite, because it is urgent that we try to deal with it as quickly as possible.

Just in summary, what this piece of legislation will do once it is concluded is allow the opportunity to the company, Newfoundland Colonization and Mining, to develop a portion of the land we are talking about here, which is located in the Port au Port area, to develop a limestone aggregate production plant and an ocean shipping terminal. That plant will have a production target of 4 million tons a year and create will approximately 30 badly needed permanent jobs in that area. The company, of course, proposes to raise the necessary capital for this project, approximately \$10 million to \$15 million, by offering a share issue on the London Stock Exchange, which it intends to do next week, I think May 6 or so. Raising the capital would have been very, very difficult under the existing piece of legislation because of the threat of expropriation that is there.

So this amendment will delete that

dilemma and we will see this development take place very quickly. The company is ready to proceed immediately, practically, to do the land clearing, which will take this year I guess, and hopefully next year we will see the development expand into something larger.

Incidentally, as was pointed out in the newspaper coverage of this bill by a very astute reporter when it was first introduced, there is also a further possibility of something larger developing here, and the potential for the creation of many, many more jobs down the road. That is something that was not meant to be passed over, but is certainly a possibility.

Mr. Speaker, I thank members opposite for their co-operation and I move second reading.

MR. GREENING:

Could the minister explain what the intent of the original bill was?

MR. SIMMS:

Mr. Speaker, I did explain it earlier. Obviously, the member was not here when I introduced the bill.

Essentially, the Unimproved Lands (Redistribution) Act is there and was there to allow government to obtain ownership through expropriation of specific undeveloped parcels of land under the legislation, if they wanted to, in order to allow some development to take place. In other words, if it was undeveloped and nothing was being done with it, government could expropriate it. The Act applies to only eight grants of land. There are only eight grants of land in the

schedule and they relate to grants that were issued between 1886 and 1895, and I guess it was there as a threat of some sort in the old days. Under the expropriation powers conferred upon the government under the act, government could acquire possession of those lands for a maximum of one dollar an acre - one dollar an acre maximum. So that would be an obvious deterrent to any owner of these existing parcels of land if they wanted to raise money to proceed with some development.

So the purpose of this amendment is to remove only one of the eight. There is only one we are asking to remove so that Newfoundland Colonization can proceed to develop the limestone production plant which will create some badly needed jobs. I do not think there is anything very serious here.

MR. BARRY:

Is there any chance you can get us the name?

MR. SIMMS:

The name of the company is Newfoundland Colonization and Mining.

MR. FLIGHT:

(Inaudible).

MR. SIMMS:

I will pass that comment on to the principals.

MR. FLIGHT:

It has already been done.

MR. SIMMS:

It has already been done?

MR. FLIGHT:

Yes.

MR. SIMMS:

There you go. See!

Anyway, Mr. Speaker, I thank members for their co-operation and I move second reading.

On motion, a bill, "An Act To Amend The Unimproved Lands (Redistribution) Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 7).

Motion, second reading of a bill, "An Act To Amend The House Of Assembly Act." (Bill No. 24).

MS VERGE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, I am pleased to introduce this bill, An Act To Amend The House Of Assembly Act. The bill sets out two technical changes to provincial electoral district boundaries. The first change involves the boundaries of the districts of Exploits and Grand Falls, and calls for the Grenfell Heights Extension area, which is part of the municipality of Grand Falls, to be removed from the provincial electoral district of Exploits and put in the provincial electoral district of Grand Falls. In other words, it provides for the boundaries of the municipality of Grand Falls and the provincial electoral district of Grand Falls being coterminous.

Mr. Speaker, the Grenfell Heights Extension area has about 500 residents, of whom roughly 300 are eligible voters. This change in the electoral district boundaries has been sought by those residents and their elected

representatives. Members may recall that in the last session of this House a petition by, as I recall, a couple of hundred of the residents, presented by the member for Grand Falls (Mr. Simms), called for this change. In presenting their petition, the member supported their wishes. That position was re-enforced by the member for Exploits and by the Opposition, with the member for Windsor - Buchans (Mr. Flight) endorsing the request of the residents of Grenfell Heights Extension. Mr. Speaker, I am not aware of any opposition to this proposed change.

The second change, Mr. Speaker, involves the boundaries of the provincial electoral districts of Kilbride and Mount Pearl and calls for a new subdivision, the Admiralty Wood Subdivision, which is within the Mount Pearl municipal boundaries, being moved from the provincial electoral district of Kilbride and put in the provincial district of Mount Pearl thereby making the Mount Pearl municipal boundary and the Mount Pearl provincial electoral district boundary coterminous.

Mr. Speaker, this new subdivision, I am told, has about twenty houses completed and now occupied, with room for perhaps another 100 houses. I understand the subdivision has been built up since the last general election. This change in the provincial electoral district boundaries has been requested in writing by the Town of Mount Pearl and their position is being supported by the members for Kilbride (Mr. R. Aylward) and Mount Pearl (Mr. Windsor).

Mr. Speaker, I do not think I need to say more. The bill contains

the precise surveyor's legal descriptions providing for the changes that I have outlined, and, Mr. Speaker, these changes are technical, they are sensible, and they are supported by the residents of the areas affected and their elected representatives. I trust all my colleagues will concur with the changes so that the boundaries can be adjusted accordingly before the next general election.

MR. BARRY:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for Mount Scio - Bell Island.

MR. BARRY:  
Mr. Speaker, I understand there is some urgency in that case, in terms of getting the bill amended.

Mr. Speaker, this is not a good precedent in terms of reshuffling district boundaries without awaiting an Electoral Boundaries Commission, which is the normal way of defining the boundaries of electoral districts in the Province. If it becomes too casual a procedure, it could lead, Heaven forbid, to gerrymandering and this is not something that the Opposition would sit quietly by and permit happen. However, where we have apparently good technical reasons and where apparently it is merely a technical realignment of boundaries and reshuffling of population within the four districts affected, I do not think we can arouse too fierce or intense a passion in Opposition to this.

I would like to know which of the districts, whether it is Exploits or Grand Falls, that has been written off, whether the decision

has been made that the people of Grenfell Heights are Liberal and therefore it is just as well to move them into the district of Grand Falls, because Grand Falls is gone Liberal anyhow next time.

AN HON. MEMBER:  
Liberal?

MR. BARRY:  
Well, not gone Conservative, let us say that. Or is it that they are Conservatives and it was decided to move the Conservatives from Exploits into Grand Falls because Exploits is gone Liberal anyhow next time and it might save the member for Grand Falls' bacon by getting a few additional Tories there? There is no way it can be said that it does not matter to members opposite which political stripe they are, because neither one of those seats are safe for the governing party next time. I have to say, from the self-assured and confident look of the member for Exploits (Dr. Twomey), that these good people in Grenfell Heights have to be solid supporters of the Liberal Party and that it is the member for Grand Falls who is either being thrown to the dogs, or he is going to be seeking another seat next time, which is why he is not opposing what is happening with too much vigor.

MR. SIMMS:  
(Inaudible) my colleague from Windsor - Buchans even said so.

MR. BARRY:  
Yes, I understand. The member for Grand Falls is always a man of principle. How many votes was it the last time?

AN HON. MEMBER:  
Over 2,000.

MR. BARRY:  
The difference in the last election.

AN HON. MEMBER:  
Forty-one.

MR. BARRY:  
Forty-one votes. Now, I do believe there are more than forty-one residents in Grenfell Heights. My recollection of the Grenfell Heights area is that there is a sizeable population there, 500 people, and that is not hay, that is not chicken feed.

MR. FUREY:  
Three hundred voters.

MR. BARRY:  
Three hundred votes.

MR. SIMMS:  
To a man of principle it matters not.

MR. BARRY:  
Well, if the member for Grand Falls says it matters not, I may have to reassess. There may be a game of poker going on here. Maybe the member for Exploits is the one who is really worried but, through his great experience and ability to control his disposition, is concealing his concern at losing some Conservatives and giving them over to the member for Grand Falls to try and save his bacon. Would that be the case?

MR. SIMMS:  
We did not ask for it, the people asked for it.

MR. BARRY:  
Well, I think there are things happening here, Mr. Speaker, that we will have to watch closely in the coming election. We will have to watch closely what is going to

happen as a result of moving the people of Grenfell Heights from one district to another. We have our own ideas and we have our own opinions, and that is why we are not opposing this move with any great enthusiasm. As a matter of fact, we are not opposing it at all, Mr. Speaker. We are prepared to acquiesce. It is not going to create a lot of jobs in this Province as a matter of legislation, so we will not take any more time than that in terms of dealing with it.

The same thing as far as Kilbride and Mount Pearl are concerned. I can only assume here that the Minister of Rural, Agricultural and Northern Development is being thrown to the wolves, because it is apparent that the member for Mount Pearl gets his way on most things when it comes to matters coming out of Cabinet, particularly when it comes to capital expenditures. I would say the same thing must hold true in this instance, that what is happening here is that there are a few more Conservatives being moved into Mount Pearl and that the district of Kilbride is being written off next time.

MR. R. AYLWARD:

It is the other way around.

MR. BARRY:

Oh! Well, it is the other way around, then. The member for Mount Pearl is getting worried. There is a backlash, is there, with the member for Mount Pearl? With all this patronage and pork barrelling that has been going on in Mount Pearl, he realizes there is a backlash and he needs a few more Conservative votes. Well, this is very interesting.

Anyhow, in all four of these

districts, Mr. Speaker, in closing I might say, that while they may appear to be only technical redistributions, and although the surface of the pond might be smooth and quiet and placid, it is like one of those scenes where you look at this quiet Summer pond, not a ripple there, and then you take out your snorkel and you go under water and you see all sorts of hidden activity, all sorts of life under the surface. Now, Mr. Speaker, that is what is happening here. We have a tremendous power struggle going on amongst four members opposite. Two are winning out and two are losing, and it is going to be very interesting to see the final result.

MR. PATTERSON:

You know all about losing, 'Leo'.

MR. BARRY:

Oh, no.

MR. WINDSOR:

Mr. Speaker.

MR. SPEAKER (Greening):

The hon. the President of Treasury Board.

MR. WINDSOR:

Mr. Speaker, I cannot resist the opportunity to have a few words on this piece of legislation, to offer my support to it and to respond to some of the foolishness of the hon. gentleman opposite. The hon. gentleman is so wrapped up in power struggles he thinks everybody is involved in power struggles. He does not like the fact that there are none taking place on this side of the House, that we have a very strong and capable leader and that this party is totally unified behind him. That is so much in contrast to what is taking place on the other side of the House that he cannot

live with that.

As it relates to some of his comments on the changings from the district of Kilbride to the district of Mount Pearl, I would point out to the hon. gentleman that that area was taken from the district of Mount Pearl in the last redistribution and given to Kilbride. All of that area, which was the Brookfield Road poll at the time, was the strongest poll that I had and the Commission gave it to the hon. gentleman from Kilbride in spite of the fact that he had had the highest majority of any member. So he hardly needed any additional Tories, Mr. Speaker. And it really does not matter, because we probably had the two strongest Tory seats in the Province. We are simply moving a few people back and forth. So we are making the strong just as strong, and the strong losing some people are still just as strong. So it really does not matter.

Mr. Speaker, there are all Tories over in that area and it does not matter which district they go in, other than it makes a lot of sense. I made this same submission to the Commission at the time of the hearings at Colonial Building. In fact, I spent some two hours talking to them. Because the Leader of the Opposition at the time, the member for LaPoile, did not show up, the Commission asked me to stay and continue to give them my views on what needed to be done in this region, in particular, and I did so. I made a very strong point at that time that it made sense to have the district of Mount Pearl boundary in that area be coincident with the town of Mount Pearl boundary. Simply because the people of Mount Pearl relate to the community of Mount Pearl,

they relate it to the district of Mount Pearl.

Now, of course, we have the district of Waterford - Kenmount which takes in a great deal of the older part, the original Mount Pearl Park area, and in this particular case of the Admiralty Wood Subdivision there was a slight overlapping by the district of Kilbride imposed there. And there is no rationale for it. There is a long stretch of farmland between this developed subdivision and the main body of the district of Kilbride. This is a natural ongoing extension with the Town of Mount Pearl, being developed by the Newfoundland and Labrador Housing Corporation. It only made all kinds of sense. In fact, Mr. Speaker, I doubt if there is a person living in the Admiralty Wood subdivision who knows that they live in the district of Kilbride. None of them were there during the last election. They call me as their M.H.A. and I service them as their M.H.A. Most of them lived in the Town of Mount Pearl prior to moving there, and have, in fact, moved over from other parts of the Town of Mount Pearl. So they had been constituents of the district of Mount Pearl and still consider themselves constituents of the district of Mount Pearl. They may be amazed to find out that they were not, in fact. So it simply is an anomaly that for some reason was overlooked when the Commission brought in its report. In fact, it was our intent, at the time of bringing in the legislation, to make the minor change there because we picked it up at the time and said, 'This does not make a lot of sense. It does not affect any people, and the Commission obviously would not be concerned about it.' But we

overlooked doing it then, and so we do it now. I take this opportunity to support the legislation so ably presented by the Minister of Justice.

MR. DECKER:  
Mr. Speaker.

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

MR. DECKER:  
Mr. Speaker, I always get just a little bit nervous when I see politicians entering into the realm that belongs to the impartial members of the Electoral Boundaries Commission. A little incident just sticks in the back of my mind. Just before the last election, Englee, Bide Arm and Roddickton were taken out of the district of Baie Verte - White Bay and were put into the Strait of Belle Isle district. If that had not happened, Mr. Speaker, I might not be here today, or I could be representing another district, mainly Baie Verte - White Bay; the present minister would have won, or I would have lost, because I would have run in the district in which I live. It was suggested to me, Mr. Speaker, in an indiscreet moment by a person who knew what he was talking about, that the reason that Englee, Bide Arm and Roddickton were taken out of the Baie Verte - White Bay district was to make sure that the district of Baie Verte - White Bay remained Tory Blue.

Now, it was said to me half in jest, so I would not get up and accuse anyone of interfering in the process. But, the jest is frightening, Mr. Speaker. It is frightening when that kind of suggestion can be made in jest. Because what business is it of the

member for Mount Pearl, or what business is it of the member for the Strait of Belle Isle where district boundaries are? We come here as elected members and we have no right to protect our own jobs or protect our own positions by gerrymandering, by playing around with electoral boundaries. I am not suggesting, Mr. Speaker, that this is the case here, I am giving hon. members the benefit of the doubt. Everyone in Newfoundland can think what they like, Mr. Speaker, but, unfortunately, we cannot always say what we like. We are setting a very dangerous precedent when elected politicians can play around with boundaries.

When the hon. the member for Mount Pearl spoke, he appeared, to me, to be extremely knowledgeable about the politics of the people who live in that area. I only wish, Mr. Speaker, that when this bill was presented someone had had the fortitude to accompany it with a map which was marked in red for Liberal, Blue for Tory, and Orange for NDP; I think that is the colour they are using, if they have settled on a colour. They are probably flip-floping around on that like they did with NATO. But if they have settled on a colour, let it be marked in so that Newfoundlanders could see, and the press could see, whether or not this was gerrymandering, or whether or not it was just an innocent attempt to accommodate an area of the Province which may or may not be expanding. Mr. Speaker, I would be extremely upset if, as a result of this gerrymandering, my hon. friend, the Minister of Health, should not be re-elected to this Chamber. If this were to happen because of taking some of his votes and giving them to the Minister of

Forest Resources and Lands, I would have to look for places in my district. I believe St. Carol's voted Tory in the last election. I would try to arrange that St. Carols be transferred into the hon. Minister of Health's district, so great is my regard for this hon. member. So I am throwing out a little warning.

MR. WINDSOR:

You better hope he does not go up and run against you.

MR. DECKER:

Yes. I hope and pray that he does not come up and run against me, because even I, Mr. Speaker, would have to think twice when I would go to vote, whether to vote for the hon. member or myself. I would suggest that hon. members keep their ears to the ground, because when I talk that way about the hon. member I must be expecting some announcements to come from his department before too long.

He is a good, decent fellow and I do not know for the life of me what the hon. member is doing sitting with the Tory Party. He is no more Tory than I am. He is a Liberal, both small 'l' and big 'L'. He has a conscience, he cares, he is concerned.

AN HON. MEMBER:

That is what we are all about.

MR. DECKER:

That is not Toryism at all, Mr. Speaker.

If this gerrymandering leads to the fact that this hon. member is not re-elected to this Chamber, Mr. Speaker, someone is going to have to answer for it. Because if I am here, in whatever capacity, whether I am here as Deputy

Premier in the next administration or whether I am here as one of the ministers in the next administration, let me tell you that someone is going to have to answer for it if my friend, the Minister of Health, is left out of this House because of gerrymandering, because of trying to protect someone's butt. Mr. Speaker, someone is going to have to answer for it.

After saying all that, the bill looks to be innocent enough. I agree with the minister, the district of Mount Pearl is a growing area. I do concede there is a little bit of trouble in Grand Falls.

MR. SIMMS:

What?

MR. DECKER:

I understand you will have trouble getting re-elected next time?

MR. SIMMS:

No! No! That is the member for St. Barbe.

MR. DECKER:

Oh! I withdraw that, Mr. Speaker.

I was under the silly, stupid opinion that the Minister of Forest Resources and Lands was having problems in his district, but I withdraw it before I am asked to do it, Mr. Speaker.

It seems to be a very harmless bill, but it could be like the camel who got into the tent: The first attempt the camel made to put just his nose into the tent was very harmless, but before the night was over the poor old Arab was out sleeping under the stars and the camel was in the tent.

Let us be make sure, even if the



member for Mount Pearl wants to have gerrymandering, and even if the Minister of Forest Resources and Lands wants to have some gerrymandering, that any attempt will be nipped right in the bud. Let us examine this for what it is saying and let us make sure there is no gerrymandering. Thank you, Mr. Speaker.

MS VERGE:  
Mr. Speaker.

MR. SPEAKER:  
If the minister speaks now, she closes the debate.

The hon. the Minister of Justice.

MS VERGE:  
Mr. Speaker, I will speak briefly to rebutt some of the ridiculous remarks made by members opposite. Members opposite talked about dangerous precedents and gerrymandering, yet, when all the nonsense is set aside, the bottom line of each of the two who spoke seems to be endorsing the bill. The member for Mount Scio - Bell Island acknowledged that there are good, technical reasons for these changes, and the member for the Strait of Belle Isle said that the bill seems to be harmless.

Mr. Speaker, this administration has set not a dangerous precedent but, upon examination, has a safe, sound, ethical record. We have made practical and logical decisions respecting provincial electoral district boundaries. In accordance with our legislation, we established, within the ten year period required, an impartial Electoral Districts Boundaries Commission a few years ago. That commission comprised as chairperson, Mr. Justice Rupert Bartlett of the Supreme Court of Newfoundland, Mr. Justice Finton

Aylward, as he now is - then he was in private law practice - Mr. Rupert Short and Mr. Derm Whalen.

That commission made initial proposals, advertised them, conducted public hearings, received submissions, and then presented a report to the government.

That report was received in about 1984. Mr. Speaker, the government accepted and implemented that report in toto, without any change whatsoever. However, Mr. Speaker, no group is infallible, and, on examination, residents of the Grenfell Heights Extension, part of the municipality of Grand Falls, petitioned this hon. House last year saying that it did not make sense for their small section of Grand Falls to be in a different provincial electoral district from the rest of the town of Grand Falls, that it does not make any sense for one corner of the town of Grand Falls to be in the Exploits electoral district, which has the towns of Bishop's Falls and Botwood as their population centres. People who live in Grenfell Heights Extension belong to the town of Grand Falls, have social and economic and cultural ties in that municipality, and want to belong to the provincial electoral district of Grand Falls. They petitioned this House. Their petition was supported by members on both sides of the House last year. The change to the boundaries proposed in this bill reflects what they want, want those citizens have requested and petitioned, and what their elected representatives have endorsed. That is all there is to it.

In the other case, Mr. Speaker, no boundaries commission could have

seen into the future and predicted that a brand new subdivision would start. Mr. Speaker, it was after the commission did their work and submitted their report, indeed after the last general election, that the Admiralty Wood Subdivision, within the Mount Pearl municipal boundaries, was started. So far, about twenty houses have been built and are occupied. Mr. Speaker, again it does not make any sense for this small subdivision to be in a different electoral district from their neighbours in the town of Mount Pearl. As the member for Mount Pearl has pointed out, most of them probably do not even realize that they are technically in the district of Kilbride since they turn to him, the member for Mount Pearl, for assistance and help.

So, Mr. Speaker, these changes are small technical ones. They are small adjustments to the district boundaries, recommended by the impartial Electoral Districts Boundaries Commission a couple of years ago, changes which seem to have universal support, even from members opposite.

With those remarks, Mr. Speaker, I close the debate and move second reading of this bill, An Act To Amend The House Of Assembly Act.

On motion, a bill, "An Act To Amend The House of Assembly Act", read a second time, ordered referred to a Committee of the Whole House, on tomorrow. (Bill No. 24)

Motion, second reading of a bill, "An Act To Amend The Summary Proceedings Act." (Bill No. 1)

MS VERGE:  
Mr. Speaker.

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

MS VERGE:  
Thank you, Mr. Speaker. I am pleased to introduce this bill. This bill is An Act To Amend The Summary Proceedings Act. The Summary Proceedings Act is divided into different parts: A substantial part of the act sets out procedures for provincial prosecutions. Part three of the act deals with the holding of enquiries into fires and sudden deaths and, Mr. Speaker, it is part three of the act that is the subject of this bill.

Part three of the act provides for enquiries to be held by provincial court judges in a number of circumstances involving death: when death appears to result from violence, misadventure, negligence, misconduct, malpractice, or unfair means, when death is sudden or unexpected, when death results from illness or disease for which the deceased was not treated by a medical practitioner, when there is a death in prison, or when there is an apparent suicide. In these circumstances, the act requires that a provincial court judge hold an enquiry into the circumstances surrounding the death unless the Director of Public Prosecutions advises the judge in writing that an enquiry is not necessary.

Mr. Speaker, it has been found that judicial enquiries have not always been conducted as speedily as it seems to be in the public interest so to do. Families of victims of deaths which have been the subject of enquiries have made complaints about the slowness of the enquiry process. Mr. Speaker, the main purpose of some of the amendments contained in this bill

is to speed up the judicial enquiry process.

The change set out in clause 1 provides for a written report of a pathologist, or any medical practitioner who performs an autopsy, being admitted as evidence by a judge conducting an enquiry without the requirement of any additional proof, or without the requirement of the medical practitioner appearing in person, with a proviso that a judge may require the medical practitioner to attend. So the discretion is left with a judge as to whether or not to accept the written report of the pathologist or medical practitioner, and it is felt that in many cases judges will opt to accept the report and not require an appearance by the pathologist. Or the judge, of course, in other cases, may insist on the medical practitioner appearing and giving evidence in person. Mr. Speaker, by giving that discretion to judges holding enquiries pathologists and medical practitioners will not have to appear in as many enquiries, thereby saving time and money related to the enquiry and also saving time and money related to the pathologists' workload.

Mr. Speaker, the change provided in the final clause again relates to the time that enquiries take. The change provides for the report of the presiding judge being made not later than six months from the date of commencement of the enquiry unless an extension is granted by the Chief Provincial Court Judge.

Mr. Speaker, the other changes contained in the bill have as their purpose providing protections to people affected by judicial enquiries. The change in

clause 3 makes it plain that a report with findings of a judge shall not contain any findings of legal responsibility or any conclusion of law. Mr. Speaker, it is felt by this administration and by members of the legal profession that findings of negligence or criminal activity should be restricted to the proper forum where all safeguards for people affected are ensured. It is felt that judicial enquiries should not be fishing expeditions, to use the colloquial expression, for either Crown attorneys or civil litigants. Mr. Speaker, that is the reason for this proposed amendment, again stating, and I quote from the bill, "The findings of the judge shall not contain any findings of legal responsibility or any conclusion of law."

Mr. Speaker, the final changes in this bill, contained in clause 2, make it clear that interested parties may participate fully in the proceedings, either personally or through counsel. They may not only examine witnesses but also cross-examine them, and, finally, they may present arguments and submissions. These changes expand on the role of interested parties from the present act, and clear up some procedural grey areas that have caused problems in certain judicial enquiries in this Province in recent years.

Mr. Speaker, in summary this bill is designed to see that judicial enquiries held under part three of the Summary Proceedings Act are held more expeditiously, with final reports being given, as a general rule, within six months unless an extension of time is granted by the Chief Provincial Court Judge. The strict requirement for the personal

appearance of a medical practitioner or a pathologist who has performed an autopsy is waived, with the presiding judge being given the discretion to accept instead a written report signed by the medical practitioner.

Mr. Speaker, limits are placed on the contents of the report of the presiding judge so that it is clear that judges may not make any findings of legal responsibility or any conclusions of law, so that those matters are restricted to criminal prosecutions or civil litigation, where parties affected have the safeguards and protections to which they are entitled under the constitution and by law.

Mr. Speaker, the proposed changes eliminate any uncertainty about the present standing of interested parties by specifying that interested parties may participate fully in judicial enquiries and are able to cross-examine, as well as examine, witnesses, and present arguments and submissions.

Mr. Speaker, these changes, while not earth shattering, I think will lead to real and meaningful improvements in the conduct of judicial enquiries in this Province.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

Before recognizing the hon. member for Mount Scio - Bell Island, I would like to give you the three questions for the Late Show.

The first question is: "I give notice I am not satisfied with the answer given by the Minister of Transportation with regard to the Bell Island ferry." That is from

the hon. the member for Mount Scio - Bell Island.

"I am not satisfied with the minister's answer to my question today and I would greatly appreciate the chance to debate this issue on today's Late Show." That is for the Minister of Environment from the hon. the member for Windsor - Buchans.

"I am not satisfied with the answer to my question concerning industrial health and safety. I wish to raise this question during the Late Show." That is from the hon. member for St. John's East.

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, we have looked at the Act to Amend the Summary Proceedings Act and there are some problems of principle that we have with this. Although it is a technical and detailed bill, there are some basic, fundamental principles of justice at stake here.

The first amendment, Clause 1, 'would provide that an autopsy report may be admitted in evidence at an inquiry without the medical practitioner who performed it being required to attend and give oral evidence.'

Now, there is nothing wrong with that if an interested party raises no objection. However, I would ask the minister to consider an amendment, which may be made at the Committee stage, not leaving it totally within the discretion of the judge, but somehow tying it to the wishes of an interested party. Because what is involved here is the best evidence rule, and I suppose to a certain extent

the hearsay evidence rule, that these autopsy reports could have tremendous significance down the road in terms of criminal or civil responsibility. Whether because of an error, because of something incorrect or because of something missing in the autopsy report there is an interested party who believes that it is necessary for the medical practitioner to be examined on the report, then I would submit justice requires that that medical practitioner be made available and that it not be left to the discretion of a judge.

Now, normally I would expect most judges would, if there is a concern raised by an interested party, take that into consideration in terms of whether or not they determine it is necessary for the medical practitioner to give evidence. But it is not a safe practice to place the destiny of individuals, interested parties in this type of situation, solely in the discretion of a judge and I would ask the minister to consider having it tie in with a request from an interested party, which would get around the nuisance type of requirement of the medical practitioner having to be there just in order to make the report proper evidence, but would recognize that interested parties are entitled to have the opportunity of cross-examining individuals who, in a written report, are giving testimony that might be detrimental to them.

Clause 2: The suggested amendment seems to be a step in the right direction. It changes from the present situation where it says 'Any person claiming to be interested may, by permission from the presiding judge, examine any witnesses and be represented by

counsel'. It now requires the judge to define or to decide who is an interested party. There is still some discretion there. But once the individual is found to be an interested party, then there is an absolute right of examination and cross-examination. And I would submit that this is a right and proper thing to do, that if a person is found to be an interested party, then that person should have the right to examine and cross-examine.

One of the problems that is raised time and time again with respect to the public inquiry is the fact that often individuals are mentioned, their names are brought up, and allegations are made with respect to potential criminal or civil responsibility. In the past, all too often these individuals have not had an adequate opportunity to prevent their name being smeared - smeared is the wrong word, because that applies a deliberate attempt - prevent their reputations from being brought into jeopardy without their having the opportunity to clarify the matter immediately. They may have the chance down the road, but the damage can often be done then. So many legal writers and commentators have identified this as a problem with respect to the public inquiry and I think the minister's amendment in this part, and in the amendment to clause three, goes some distance in removing this problem that has existed. In fact, I have referred to this problem in the House of Assembly on earlier occasions.

We support giving interested parties the right to examine, cross-examine and present arguments, because again this is a basic principle of justice. If

someone's name or destiny or property might be affected by a decision taken in an inquiry, then they should have an opportunity to present their case. It comes down to the old fundamental right to be heard in any matter where your interests are affected.

The amendment to clause 3 (1) "This amendment would provide that the report of the presiding judge in an inquiry may not contain any findings of legal responsibility or any conclusion of law." Again, there is less need for this type of provision. Once all interested parties have the opportunity to participate and they are examined and cross-examined, there is less need, then, for that restriction. But, again, I think there are problems still and there will be problems still with the way in which public inquiries are carried on, problems that would arise from findings of legal responsibility or conclusions of law by the judge. So again I think this is a step in the right direction.

Now, let us not delude ourselves as to how far this provision will go. It is one thing to say there shall be no findings of legal responsibility or any conclusion of law, but I think everybody here realizes that if a judge in a particular case makes decisions of fact in a certain way, then almost inevitably certain conclusions of law or findings of legal responsibility would follow from those findings of fact.

So, while this provides some protection, it does not provide absolute protection against the problems that are inherent in a public inquiry.

We support, however, this step, limited though it may be, and we

also support the requirement that a report be filed within six months unless there is an extension. In the past we have seen public inquiries going on for a long time. Justice delayed is justice denied, and setting this time requirement is a good idea.

I would like to get the minister to give us an indication, if she would, of just how this new amended legislation would fit in in comparison to the laws of other jurisdictions. Some jurisdictions, I know, have moved to amend their legislation relating to public inquiries, others have not.

Have other provinces gone further in their Public Inquiries Act than we are now going? Maybe the minister could indicate this.

MR. SPEAKER:

If the minister speaks now, she closes the debate.

MS VERGE:

Mr. Speaker, I am able to indicate in a general way that these amendments are consistent with legislation across Canada. However, I do not have at my fingertips a province by province breakdown, but if the member for Mount Scio - Bell Island has particular questions or a question about any clause of the bill and comparisons with other provinces, I can certainly undertake to get that information for the Committee's clause by clause examination of the bill.

Mr. Speaker, with those comments I move second reading of this bill.

On motion, a bill, "An Act To Amend The Summary Proceedings Act," read a second time, ordered referred to a Committee of the

Whole House on tomorrow. (Bill No. 1)

Motion, second reading of a bill, "An Act Respecting Occupational Therapists". (Bill No. 8)

MR. SPEAKER:

The hon. the Minister of Health.

DR. TWOMEY:

Thank you.

I would like to lead off the debate and lend my support to the bill to govern occupational therapists in the Province. The purpose of the bill is to provide for the incorporation of the Occupational Therapists Board and to empower the Board to regulate the practice of occupational therapy in the Province.

Occupational therapists work mainly in the Province's hospitals, with some involvement in the nursing homes. Currently about thirty occupational therapists are employed in Newfoundland in the health care system.

Occupational therapists are generally in short supply in Canada. In order to encourage the study of occupational therapy, the Department of Health, through its bursary programme, provides some assistance to Newfoundland students who wish to study occupational therapy. There are eleven occupational therapy programmes across Canada and there is only one programme in the Atlantic Provinces and that is situated at Dalhousie University in Halifax.

In very simple terms, occupational therapists work with people who have their functions impaired in terms of being able to function in

the work place, in a leisure setting or in terms of looking after themselves. Occupational therapists work as part of a health care team, that is to say, they work with physicians, nurses, physiotherapists and others in tending to the total needs of a person.

The Bill is similar to other acts which regulate health care professionals. Examples would be nurses, physiotherapists, pharmacists and nursing assistants. The Act itself sets out the framework whereby occupational therapists are licensed and regulated.

First of all, the Act provides the public establishment of a board known as the Newfoundland and Labrador Occupational Therapy Board which consists of five persons appointed by me as minister. Basically, three of the individuals appointed will come from lists of nominees from the Occupational Therapy Association since they are the group regulated. One of the appointees will come from a list of nominees supplied by the Newfoundland Hospital Association and its occupational therapist's function in the institutional frame work presently. The association represents all various employers.

Thirdly, but very importantly, the board will have on it a person who will represent views of the public at large to ensure that the board can benefit from the advice of the consumer. While the consumer, obviously, will not be able to address all the technical and professional issues, I believe that the consumer will bring a very important public perspective to the board. After all, the primary purpose of the legislation

is to ensure the protection of the public by having in place a board to access credentials for license and to grant licenses as well as to be there to deal with any issues concerning occupational therapy which the public or a patient of the occupational therapist might wish to bring to the attention of the board.

The legislative itself sets out the frame work for the establishment of the board and the regulation of the profession in the Province. The functions of the board as generally outlined in Section 4 of the Bill from (a) to (f). Please see paragraphs (a) to (f).

The mechanics of how the board will do its job are provided for in Section 13 which allows the board to make appropriate regulations subject to approval of the minister. It is under this section that the board will set forth the specifics of how it will function and under which it will outline its method of operating, and all the housekeeping matters than pertain thereto.

The Act is similar in structure and contents to other acts that have been passed during the past several years dealing with other professions. Most provinces, if not all provinces, have similar legislation in place governing occupational therapists. The Bill will place occupational therapists in Newfoundland on a similar footing with their professional colleagues in other provinces.

This is a positive step and I am pleased as Minister of Health to present it to the House for approval. Occupational therapists are an important part of the health care team. Their

contribution to health care deserves our recognition and our support.

If members have any questions about the Bill or if members have any questions with respect to occupational therapy in general, I will attempt to provide the answers to those questions. If the questions are with regard to specifics or details which I do not have with me, then I will attempt to have the information collected and provided to any hon. member who would like to have it.

Thank you.

MR. DECKER:  
Mr. Speaker.

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

MR. DECKER:  
Mr. Speaker, when I looked at this bill some weeks ago, when it was first laid on the table, I tried to recall how many occupational therapists I have ever met in my life. The fact is I can only remember ever meeting one occupational therapist. The hon. minister probably explains why I only had the privilege of meeting only one occupational therapist. I understand the minister to have said there are only thirty in Newfoundland.

I am glad to hear him say that his department is encouraging more young people or more people to enter into this profession because, if hon. members will look at Section (f) on page 4 of this bill where you see some of the duties of occupational therapists, it becomes obvious with an aging population the requirement for occupational therapists would tend



to become even moreso. I believe the minister would agree with that.

I had the privilege of owning and operating a home for senior citizens for a number of years. At that time there was an occupational therapist with the Grenfell Association which supplies the medical requirements in that part of Newfoundland and Labrador. Because this one occupational therapist had to cover such a vast area, it was practically impossible for her to spend any great amount of time in the senior citizens home which I was administering. The one or two times that she did come, Mr. Speaker, I can say without any hesitation at all, the time that she spent was well spent and the residents of the home, I believe, were much better off after she left.

It is unfortunate that there are not enough occupational therapists in this Province so that we could take that particular sector alone of senior citizens homes and make an occupational therapist available to several homes so that he or she could have time to devote to the people.

In this bill, Mr. Speaker, a couple of points just make me twinge a little bit or cringe a little bit. On page 4 of the act, (3), Subsection (1) the provision is set out for establishing the board. The board is going to consist of five members appointed by the minister. Now, Mr. Speaker, I know that normally this would only be a rubber stamp whereby the nominees are suggested to the hon. minister and then he sort of rubber stamps it. However, the process is there nevertheless that if we were ever to have a minister without the

conscience and without being as honourable and without being as morally upright as this particular hon. minister, then the process is there for interference, Mr. Speaker.

Then, as we look at some of the duties of this board, look at (c) on page 5. One of the duties of this board is to examine candidates applying to be licenced. Mr. Speaker, this is suggesting to me that the board says who or who not can be an occupational therapist in this Province. That is what it is saying, is it not? It is the Minister of Health who ultimately appoints that board. When we look at some of the things that this government has been doing - look at what they are doing with capital projects, look at the way they play politics - I can predict the day will come, Mr. Speaker, when the title, Occupational Therapist, would be synonymous with being a Tory. This is what could happen here, if this were pushed to its logical conclusion, Mr. Speaker. I am not talking about this hon. gentleman, and I want the world to know that.

But suppose, for example, the hon. Minister of Municipal Affairs (Mr. Doyle) were to become the hon. the Minister of Health, or the hon. the Minister of Transportation (Mr. Dawe), just suppose he were to become the Minister of Health, with the power to appoint five members to the board for the occupational therapists, with his known pork barrellingness, think what could happen to occupational therapists in this Province.

We would end up, Mr. Speaker, with a lot more than thirty, because the sole criteria would be not be, 'Have you finished high school;

not have you gone up to Dalhousie and studied; not have you gotten a bursary from the Ministry of Health and gone somewhere in the world and studied a perfectly legitimate course of studies. The occupational therapist I did meet was from Pakistan actually, Mr. Speaker, she had studied in Pakistan.

MR. SIMMS:

Was she a Tory?

MR. DECKER:

I do not know her politics, Mr. Speaker.

MR. SIMMS:

There you go, that is just like us. (Inaudible.)

MR. DECKER:

I would suggest if this were pushed to its ultimate conclusion and if some other hon. person, and not the present Minister of Health, were to appoint that board, the criteria would not be did you study in Pakistan or did you study in Newfoundland, the criteria would not be have you got Grade XI or Grade II, the criteria would be, are you a Tory. Now, Mr. Speaker, this can happen.

So I would suggest to the hon. minister that he should not have the last say as to what members will be appointed to that board. There should be some other process, maybe Cabinet.

MR. SIMMS:

We will use the process you used for a leadership review.

MR. DECKER:

In saying that, Mr. Speaker, I am not suggesting that the occupational therapists themselves should have a closed shop because that could become almost as bad as

if it became a political farce. So we cannot allow them to do it totally on their own. It cannot be a closed shop because we have enough of that torment now with the medical profession where they have a closed shop. We have a closed shop for the legal profession, Mr. Speaker. For the life of me I do not want to see any closed shops, whether we are talking about politicians or whether we are talking about lawyers or whether we are talking about medical doctors or whether we are talking about a geriatric association or whatever. I do not want to see any more closed shops.

MR. SPEAKER:

Adjourn the debate.

MR. DECKER:

Adjourn the debate already?

MR. SPEAKER:

Yes.

MR. DECKER:

Well, okay, Mr. Speaker. I will adjourn debate if the hon. members have something to present, but I shall return.

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

Committee of the Whole  
on said Bill

MR. CHAIRMAN:

Order, please!

MR. OTTENHEIMER:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the President of the Council.

MR. OTTENHEIMER:

Mr. Chairman, there has been an agreement from the official Opposition and our socialist friends that -

AN HON. MEMBER:

(Inaudible) insulted.

MR. OTTENHEIMER:

Is friends insulting? Is socialist insulting?

MR. FENWICK:

Yes, it is.

MR. OTTENHEIMER:

What should it be?

MR. SIMMS:

Comrades.

SOME HON. MEMBERS:

Oh, oh!

MR. OTTENHEIMER:

I think your colleague would prefer to be socialist and perhaps the hon. Leader would prefer to be social democratic. I do not think the hon. member for St. John's East finds it insulting. Would the hon. the member for St. John's East mind being called socialist?

MR. LONG:

No.

MR. OTTENHEIMER:

No. Well, my hon. socialist friend from St. John's East and my hon. social democratic friend from Menihek have agreed that we could proceed to go through Committee in third reading for Bill No. 7 because the early passage will facilitate some developments in the area concerned. So, Bill 7 please, Order 11.

A bill, "An Act To Amend The Unimproved Lands (Redistribution) Act." (Bill No. 7)

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

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

MR. SPEAKER:

Order, please!

The hon. the member for Terra Nova.

MR. GREENING:

Mr. Speaker, the Committee of the Whole has considered the matters to them referred and have directed me to report Bill No. 7 passed without amendment.

MR. OTTENHEIMER:

Mr. Speaker, it has been agreed by the official Opposition and by two friends of the New Democratic Party, my social democratic friend from Menihek and my socialist friend from St. John's East, that we can proceed with third reading.

On motion report received and adopted, bill ordered read a third time presently by leave.

On motion, a bill, "An Act To Amend The Unimproved Lands (Redistribution) Act," read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 7)

Debate on the Adjournment  
[Late Show]

MR. SPEAKER:

Order, please.

It is now 5:30 p.m. and there are there are three questions for debate.

I call the hon. member for Mount Scio - Bell Island who is not satisfied with the answer he got from the Minister of Transportation on the Bell Island ferry.

MR. BARRY:

Mr. Speaker, I guess there is some leeway given in terms of getting matters on the Late Show. I am stretching it when I say I am not satisfied with the answer given I suppose in this case in that the minister gave a very reasonable response. I do not know if he has further information from his department. I was suppose to call and I did not get through there yet. But the minister gave a very reasonable response in that, as his departmental officials indicated to me earlier, they are doing what they can to see if they can get the Katherine back in service before the additional work is done, as required by the Canadian Steamship Inspection Branch because the John Guy is there now with a defective rudder.

It is very difficult to second guess a captain, or in this case I think it is probably more the chief engineer, if they indicate that there is a problem which is getting worse as far as the rudder is concerned. The more trips that are made the worse the rudder gets so there is a possibility, if the Katherine cannot be brought back quickly, as the number of runs continue with the John Guy, eventually the rudder is going to go altogether. Of course, the question then is whether it is going to go as the captain is maneuvering around the rocks on the beach at Bell Island or over in Portugal Cove. So, safety considerations have to be first and foremost in this situation.

Everybody recognizes that but it should be stated for the record that neither I, nor, I am sure, will the minister or any of his officials take any line which would increase any risk that might exist as far as passengers or commuters going back and forth from Bell Island might be concerned.

Really, we should also state, Mr. Speaker, for the record again, it should not be a matter of a choice between a dangerous situation and a less dangerous but still dangerous situation. The residents of Bell Island and the travelling public moving back and forth between Portugal Cove and Bell Island are entitled to a safe ferry service as well as a regular, full ferry service.

Now, what has been happening is that because the John Guy has a defective rudder, the number of trips per day have been decreased. This is quite serious, not just as a matter of inconvenience, but this is quite serious for those many Bell Islanders who work on this side who have their employment threatened. It is a very severe economic blow for them if they end up losing their jobs because they cannot get to work on time because of the ferry schedule.

I had a call today from two women who work at K Mart. They do not finish work until 6:00 p.m., their hours are from 10:00 a.m. to 6:00 p.m. The last run of the ferry until 10:30 p.m. at night has been at around 6:00 p.m. or 6:15 p.m. which is just a little too early for them to get to the ferry unless they leave work early and lose salary as a consequence.

So what I want to stress to the

minister now is that we really have to get back to having a full, regular ferry service between Portugal Cove and the Island. Everybody exercises a certain amount of patience, although it can be very frustrating when the ice is in the Tickle not knowing whether or not an icebreaker is going to be available at a particular point in time, not knowing whether or not the ferry is going to be able to get through the ice that is out there. But when the ice goes, Bell Islanders rightfully expect that they can then expect to get back on a regular service.

I might say as far as the ice is concerned the minister, I hope, is starting to have his officials look at the next stage which is getting a new ferry for Bell Island. The contract now I think has another two years to run I believe. I should and I will put the minister on notice now, that the people of Bell Island will quite rightfully be seeking a more adequate ferry vessel than the two that are there right now.

I might say to the minister they were pretty pleased with and they were looking at the icebreaker Grenfell while she was there. I received many comments that that type of vessel, which is basically a converted supply boat, I believe, has the power, the ice strengthening and it can handle twenty or thirty boats, I do not know the exact number. It would probably be less expensive for the department to look at that type of approach than the approach taken with respect to Fogo Island where they started from scratch, designed a new ferry and it ended up not being operational in ice because of the delicacy of the thruster arrangements in that

particular ferry.

In any event, the planning should be underway now. I would encourage the minister to start consulting widely with residents of Bell Island. I commit myself to co-operate as far as possible in getting residents together, in getting various interest groups together to meet with the minister, talk with the minister, and start planning for the future ferry needs of Bell Island when this contract is up in two years time.

For now, I ask the minister to use every power at his disposal to ensure that we have a safe service and that, as quickly as possible, we have a full service with a full stand by vessel. The minimum that should be done now is to get the Katharine to replace the Guy until the Guy is fixed and then get the Katharine in and get her watertight doors fixed and the other work that might remain to be done to satisfy the CSI requirements because it is not just a matter of convenience for the travelling public or for residents on Bell Island, it is a very great economic hardship. People are losing their jobs and, in many cases, people are being discriminated against and not being hired when they tell their employers or potential employers they are from Bell Island. People back away from hiring them because they are aware of the uncertainties that result from the inadequate ferry service.

I ask the minister if he could address some of these concerns and recognize the people of Bell Island are committed to living on Bell Island, and staying on Bell Island. They have new homes being built and homes being renovated.

They are able to operate from a dormitory community, to a certain extent. We are looking forward to seeing more work being made available and more jobs being made available on the island itself. But for those commuters who have to go back and forth from Bell Island to the mainland, the minimum that they should have is an adequate ferry service.

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DAWE:

Mr. Speaker, I think I would concur with the opening comments of the member for Mount Scio - Bell Island. I am not sure if it is as much a question as it is a matter of him taking the opportunity to highlight the situation as it relates to the service on Bell Island.

I think that everybody's concern and everybody's desire is to make sure that that service is one which adequately meets, certainly, the safety requirement associated with a ferry operation, but certainly meets the requirements for the social and economic well-being of the residents of Bell Island.

I think over the past seven or eight years that service has improved dramatically, particularly as it relates to scheduling with the two boat operation for the vast majority of the year, some nine to ten months.

Unfortunately at this particular time a number of issues have compounded to work against us at the same time. One being the damage done to the John Guy as a result of the ice conditions and the requirement for even a single

boat service to be reduced somewhat, and the requirement from CSI that the Katharine not go into service until certain new regulations have been addressed.

I have some personal concern, certainly not about the requirement to have a Canadian Steamship Inspection Branch to make sure that the safety and well-being of people travelling on the various vessels in Canadian waters as it relates to ferry vessels and other boats, but I would suggest that perhaps there is a requirement for a common sense clause to be put in there at some point in time so that the people who are making these adjudications sometimes take into consideration the real situation that is facing them and perhaps not to take a new regulation, albeit an important regulation, I would suspect, in certain environments, in certain water conditions and certain areas as it relates to the doors in question, but certainly to realize that that particular vessel has been operating very safely, and a month or so ago would have qualified under CSI regulation.

To all of the sudden take that vessel out of service based on a new regulation that will be corrected in due course, but certainly does not really impact on the safety of that vessel in carrying out its functions on the Bell Island service, I think leaves me with a concern in this area related to common sense in this situation, as well as an adherence to the safety regulations. I will indicate that the CSI people were suppose to be on the Katharine at 3:00 o'clock this afternoon to do an additional inspection to see if they would allow Newfoundland Transportation

to put the vessel into service, we had hoped, later this evening.

I understand from talking to the people at Newfoundland Transportation and our own staff that the CSI individuals for reasons unknown did not show up at 3:00 o'clock. We are trying to address that concern. The person responsible in Newfoundland, Mr. Humphries, he has the overall responsibility for the Coast Guard and so on, Mr. Humphries is in Ottawa. We are trying to track him down now to try to make sure that the common sense approach is taken to this that will result in the people of Bell Island, who have to commute and have to go back and forth, being inconvenienced as little as possible with this particular disruption. But certainly, I think, it is everybody's aim to make sure that that particular operation goes into a full schedule as quickly as possible.

As it relates to the 6:00 o'clock crossing this evening, I have already asked our staff to get in touch with Newfoundland Transportation to make sure that they do not leave on a scheduled time as much as they would leave on that particular run after just waiting a few minutes or waiting several minutes until they do have a full load in order to make the crossing with as many people at that particular time as they can. We are still trying to have the CSI people release the Katharine for service, again, as quickly as possible, hopefully before dark so that the vessel can go into Conception Bay and operate on an as usual schedule.

The other point mentioned, of course, relates to the possibility of a new vessel. I think under

normal circumstances the John Guy has been operating in the Tickle and through ice conditions and is much more ice re-enforced and capable of handling the Tickle in ice conditions than the Katharine, which is one of the reasons why she stays into service at that particular point in the year while the Katharine goes for refit. Certainly the study that was done some eight or nine years ago, which relates to all of our ferry services, indicated certain changes and modifications to the services in all the areas. We have done a great number of them. We are assessing the requirements for not only the Bell Island service, of course, but for others as well, with the possibility of a new vessel.

The structure of any arrangements that we may have with regard to that service is going to be looked at whether we continue to operate under a contractual basis or whether we operate as a department on a new vessel. But certainly we will be looking at it and consult with the committee on an ongoing basis as we have done in the past.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Windsor - Buchans is not satisfied with the answer to a question from the hon. the Minister of the Environment.

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Thank you, Mr. Speaker.

Mr. Speaker, I have here a proposal from Newfoundland Hydro. Mr. Speaker, it is their proposal to increase the generating

capacity of the main Meelpaeg reservoir by thirty-three megawatts.

Mr. Speaker, the proposal was presented to the Minister of the Environment (Mr. Butt). Hydro have done everything they are suppose to do. They presented it to the minister signed and delivered on March 27. However, the minister indicated today he received it on March 31. So that is taking into consideration three days.

Mr. Speaker, the proposal if it goes ahead - one has to be aware of the situation in there - is in one of the most environmentally sensitive areas left in Newfoundland, there is no question about it. We debated in this House the affects that the Upper Salmon development might have on the wildlife in the area, particularly, the caribou herds and the calving grounds and the migration routes up through. Of course, after a lot of consideration, the Upper Salmon project went ahead.

Mr. Speaker, there are a lot of people in Newfoundland, a lot of groups, a lot of individuals, thousands of Newfoundlanders who would be concerned about the environmental damage that may be done here. Certainly they may not oppose the project in itself and that is not the issue whether we accept the project or not, but Newfoundlanders, Mr. Speaker, have a right to know what is happening, to express their concerns, to make their comments and to make sure that if that project goes ahead, it goes ahead with the least damage that is possible to the environment.

Mr. Speaker, we find that the

Minister of the Environment (Mr. Butt), having this project on his desk since March 31, set May 5, 1987 as the deadline for public comment or public input, which is next Tuesday I think. Mr. Speaker, from now that is five days. The only evidence that I can find, Mr. Speaker, that the minister tried to make the public aware that this project was on his desk and that this project was being considered was a note in a column in The Evening Telegram written by one Mr. John Power. The headline, I think, read: Polar Bears Not Unusual. If you read the three or four columns before Polar Bears Not Unusual you would see the little by-line "Environment Corner" and it goes on to say. Having seen that I said, "Well, this is news to me. I thought I kept myself abreast of things." I checked with the Department of the Environment and with Newfoundland Hydro and I came up with the information I have, Mr. Speaker.

I understand, Mr. Speaker, that the minister said publicly today that he advertised, the May 5 deadline was advertised in newspapers and in the media across Newfoundland. I would ask him to table in this House, if he would, the advertisements that were sent out to inform the public of Newfoundland that they had until May 5 to have their interventions. Because, Mr. Speaker, I cannot find anybody in Newfoundland, and I have made a few calls today, and I made calls to the people who would be most concerned, the people who would, on behalf of the people they represent, the wildlife groups, the fisheries groups, the sportsmen from all over, the environmentalists, and I cannot find anybody who was aware that



the deadline for interventions, expressing concerns and comments was May 5 Mr. Speaker.

My concern is that the minister will take the position, as he has done in the past, that if May 5 passes and there is no public intervention, if a month from now people start to get concerned and they are aware of the project and they say, "We want to have some intervention, we want to register our concerns," the minister will be within his rights even with this column in The Evening Telegram. It would justify him saying, "Well, we set a date. There was no public concern. Nobody contacted my office and looked at the plans. When the deadline passed, there was no concern." Now that is the position the minister would find himself in.

I am saying to the minister now, in fairness to the people who will be concerned about this, Mr. Speaker, this -

MR. SPEAKER:  
Order, please!

The hon. the member's time has elapsed.

MR. FLIGHT:  
My concern is simply that the minister being aware of the sensitivity of this area environmentally. It is in a designated wilderness area. Would the minister look at extending the deadline and name a deadline well down the road long enough for the people of this Province who will want to make intervention and to see that that project proceeds in a way that will protect the environment?

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

Mr. Speaker, I appreciate some of the comments the hon. member made but, in the meantime, I want to set a couple of things straight for the hon. member.

When a project is registered with the Department of the Environment, whether it is from the hon. member or Newfoundland and Labrador Hydro, depending of the magnitude and so on, the minister, I have forty-five days then to respond to that proponent, to say you have to do A, B, C, D, a full EIS or an EPR, depending on the magnitude, the sensitivity of the project and so on.

In this case we are following regulations and government guidelines to the T. Now, the hon. member said that we never informed anyone. Well, let me tell you, we did everything with this project as we do with any other project that is registered. It goes out on an environmental calendar. There are a whole group of people, a long list of people who are on our mailing list and who get all these statements automatically. If the hon. member wants to be on that mailing list, all he has to do is phone the Assessment Division and ask that he be put on the mailing list and any project, whether it is in Labrador, Cat Arm, St. John's Harbour, or anywhere else, he will automatically get the environmental calendar and find out exactly what is going on.

This project has been registered. We have approximately one year. For example, if an environmental impact statement is determined and when the assessment committee gets

all the public input by May 5, I have basically ten days then, because their recommendations are the ones that I go by. They are a group of professionals and they advise me. So, I have ten days then to access that, based on their recommendations really, I do not know of any instance where I did not base it on their recommendations since I have been minister, and then I have to go back to Newfoundland and Labrador Hydro. In this case I would say, 'Because of the sensitivity there is, we are aware of caribou concerns, water fowl concerns, some cabins there, outfitters, I believe, as well, and, of course, a fishery concern because you are dealing with aquatic life when you reroute water and so on.' So we would normally then go back to Hydro and say, 'Because of the magnitude and the sensitivity, this will require an EIS.'

Then there is a Terms of Reference drawn up and that goes out for public scrutiny. I am not sure if it is forty-five days or sixty days, just the Terms of Reference. Once they are out of the way, then there is public hearings so that any citizen of this Province can come forward. I think it is within the Province but maybe it is even people from outside the Province who have some expertise, but it is out to the public then anyway. They can then come back again, so there is all kinds of room there for public input.

I just want to assure the hon. member I realize that this is a sensitive area. Hydro developments are sensitive anyway and they usually require an EIS or EPR. In this case, I cannot tell him right now if there will be an EIS or EPR required because, when

all the information comes in and the Assessment Committee advises me on the way we should approach this, well, then I can tell the hon. member most likely that is the way I am going to go with it. On May 15 -

MR. SPEAKER:  
Order, please!

MR. BUTT:  
Mr. Speaker, if I could be allowed ten seconds.

MR. FLIGHT:  
What is the significance of the May 15?

MR. BUTT:  
Well, you have to have a cut-off. If you put in a proposal to me and you wanted to build cabins around a pond, for example. It was a big project, and you had your money invested and so on. Is it right for me to say because that is in a sensitive area I can hold you up for three, four, five or six months? We have to have some kind of guidelines in there and these are considered very reasonable guidelines and rigid guidelines when you look at our legislation compared to legislation in place in other jurisdictions. We have environmental legislation in place that stands very tall in this country.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
The final question is from the member for St. John's East. He is not satisfied with the answer to his question concerning industrial health and safety.

The hon. the member for St. John's East.

MR. LONG:

Thank you, Mr. Speaker.

If I may follow up questions I put to the Labour Minister today. On the first question I asked, I would simply register a regret that the government was not represented in an official way at a ceremony which was quite a moving ceremony in which the Mayor of the City and the Deputy Mayor of Mount Pearl were represented. Leaders of four religious denominations laid wreaths and spoke of the Ocean Ranger and other incidents in which workers annually lose their lives due to injury or disease on the job.

My question remains, because the minister did not directly respond to it, on whether the government is considering acknowledging an annual date, namely April 28, which has been recognized by four other provinces, I am told, the federal government and several municipalities across the country, as a day of mourning. So it remains to be seen whether the government is interested in participating, perhaps next year, in an annual ceremony of this kind and putting aside one day on the calendar to commemorate the loss of life that occurs every year.

More than that, I would like to raise again the question of a proposal that has been sent to the minister's department which he said, in his answer, he did not receive. I checked a news item that appeared in today's newspaper in which the President of the Newfoundland Industrial Health and Safety Association, Mr. Ray O'Neal, who is also a city councillor, and who is also well known for his work with the Newfoundland and Labrador Safety Council, says they were expecting

the minister to respond to the proposal at their convention today, implying that the proposal had been submitted some time ago. If the minister has not seen that, I am not sure what the difficulty would be either with the problem of communication or the delivery of the proposal to himself.

Basically what this organization is asking for is a small grant to assist a travel programme for the employers' organization, the Newfoundland Industrial Health and Safety Association, which is an umbrella group of employers in the Province who are concerned with industrial health and safety questions. They are asking for assistance to develop an educational programme for the member employers of this organization. It is not a very large sum of money that they are asking for as support from the government. They say that the total cost would probably be only about \$15,000 a year.

I think what this proposal raises - I would hope the minister may be able to respond more concretely to it - is the absolute need for the minister's department to take responsibility for questions concerning health and safety at the work site. I have had concerns raised to me in the past by representatives from labour about the lack of programmes for education. The Occupational Health and Safety Act includes provisions for worker education in the work place. The labour organizations in this Province, I think, probably have an interest in conducting their own activities with their own members and I understand that the Labour Department has given funds to the labour organizations for this purpose, for which I am sure they

are grateful.

MR. SPEAKER:  
Order, please!

MR. LONG:  
If I may have fifteen or twenty seconds to clue up.

AN HON. MEMBER:  
By leave.

MR. SPEAKER:  
By leave.

MR. LONG:  
By leave! Thank you.

There remains a question of concern on peoples' minds, workers' minds, especially in light of the annual report of the Worker's Compensation Commission which last year saw quite a dramatic increase in the number of claims filed. It is in light of this dramatic increase in injuries at the work site in the past year that the concerns would be timely to be brought forward and to call upon the minister for some accountability in terms of extending and expanding educational programmes both for workers and employers.

Thank you, Mr. Speaker.

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

MR. BLANCHARD:  
Mr. Speaker, with respect to the first part of the hon. gentleman's question about the Day of Commemoration, which was April 28, all I can do, Mr. Speaker, is repeat what I said this afternoon. We were not informed about it. I do not think we would have said that we need an invitation or anything like that. It would simply have been

information. All of us were saddened by the - well, I think it surrounded primarily about the Ocean Ranger disaster and it was held at the monument I understand on the site there. In all sincerity, Mr. Speaker, we did not know about it. I learned about it as a matter of fact last night I think and I heard it again this morning from the Mayor of St. John's. He told me it was an impressive ceremony and he mentioned the fact that nobody from government was there.

Regardless of what the hon. gentleman may think about our relationship with labour, this is something that we would have been very happy to participate in. I can only say, regrettably, we did not know about it.

Now I am happy that the hon. member raised again, Mr. Speaker, at this time the question that he asked me about this afternoon because I think it was a misunderstanding and I am sorry if I gave the wrong answer. He mentioned a consultative group which did not strike me at the time. I thought it was a new proposal. I have not in fact received any new proposal and I said we would assess it when we got it.

What he was in fact talking about, I learned after Mr. Speaker, was a proposal that has been made some time ago, perhaps several weeks ago by the Newfoundland Industrial Health and Safety Association. Its President and some executive people came in, met with myself and my senior people and presented a proposal whereby those larger companies in the Province who employ full-time health and safety people and are knowledgeable about the law and about the regulations,

would, on the payment of a grant by government to that organization, which would pay for the travel expenses and hotel accommodations of perhaps eight or ten people, go around and talk to their affiliates or their counterparts in the Province and look at what they are doing with occupational health and safety and perhaps advise them.

This is fine and we really have no problem with it. It is being assessed and evaluated right now. There has been a lot of dialogue on it. I am sure the hon. member, being an NDP representative and being part of a political group, highly politicized, will understand that we have a great deal of caution about this inasmuch as we do not want to have an employer representative being paid funding from government to go out into the work place and make pronouncements on the good or the bad, if you will, of the health and safety programmes.

We have our own people who are experienced, trained and well recognized by both the unions and employers in the Province as being knowledgeable people. Now, I am not saying we are going to reject it, Mr. Speaker.

MR. SPEAKER:  
Order, please!

It is now six o'clock.

On motion the House at its rising adjourned until tomorrow, Friday, at 10:00 a.m.