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Speaker: Honourable Patrick McNicholas

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The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):
Order, please!

Oral Questions

MR. DECKER:
Mr. Speaker.

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

MR. DECKER:
Mr. Speaker, my question was meant for the hon. the Minister of Health (Dr. Twomey), but in his absence I will go to the Deputy Premier, or Acting Premier, the Government House Leader (Mr. Ottenheimer). The minister is no doubt aware that there are hospital beds being closed again in this Province this year, in Gander and Corner Brook, and St. Clare's in St. John's.

MR. FUREY:
Here is the Minister of Health.

MR. DECKER:
I am delighted to see some class being added to the other side by my friend, the Minister of Health, as he once again comes into the House.

I ask the hon. Minister of Health, who is aware of hospital bed closures in the Province, will the minister stand up today and guarantee Newfoundlanders that those bed closures will not interfere with the quality of health care that is provided in this Province?

DR. TWOMEY:
Mr. Speaker.

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

DR. TWOMEY:
Thank you very much, Mr. Speaker.

You caught me in the middle, because how can I guarantee quality health care? Are you talking about bed closures, which has been usual for many, many Summers during the past number of years? Are you talking about anything else? If you would explain it, then I will try and give you a straightforward answer.

MR. DECKER:
A supplementary, Mr. Speaker.

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

MR. DECKER:
I am not sure he is dealing with my question, Mr. Speaker, but he certainly should know something about the quality of health care and the effect that the bed closures will have on it. The minister is probably aware that, in addition to the normal causes of bed closings in the Summertime, there is another item, which is the shortage of nurses. Has the minister determined why there is a shortage of nurses in this Province? And what action has he taken to deal with this shortage, be it real or impending?

DR. TWOMEY:
Mr. Speaker.

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

DR. TWOMEY:
Thank you very much, Sir.

Yes, I have, but I think it is a very complex question. As far as

I know all the student places that are available in the teaching hospitals in St. John's have nursing students to meet that complement. There is intensive recruiting, especially from the Province of Ontario, and in particular, the City of Toronto. There is also recruiting from the other provinces. As you know, a few months ago you were able to find that a number of Newfoundland nurses had moved out to the Tar Sands, and had moved to Halifax. There is extensive recruiting from the Province of British Columbia. As well as that, recruiting has occurred from Florida and California; that I know at the moment. In reading one of the excerpts from The International Nursing Journal of the World, apparently there is a world shortage of nurses at the present time. That shortage is attributed to many things. Students are losing interest in going into the profession of nursing and are going into other fields. Emphasis will change from time to time. There was a time in the Province of Newfoundland when many students went into the teaching profession. I believe they have gone into other professions from time to time. The number of applicants for seats, I believe in medical schools, has decreased. I forget what has happened to the number of students who are applying to law school, but this is happening everywhere. As to why I cannot give you an answer to the question directly, whether it is sociological, social, economic, or anything else, but you might say it is a combination of all.

MR. DECKER:

Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon.

the member for the Strait of Belle Isle.

MR. DECKER:

Again to the Minister of Health. In their present round of negotiations, the nurses are voicing some concerns that they are saying causing the shortage in Newfoundland, and I am sure the hon. minister knows what they are. Can the minister verify that the nurses' claims are accurate, and will he support the demands of the nurses in this present round of negotiations?

MR. SPEAKER:

The hon. the Minister of Health.

DR. TWOMEY:

I think that there are very many valid reasons that occur in every province, it does not matter what one you compare. Many of the younger ladies, like many of the young doctors, do not wish to travel outside of the large urban areas in the Province. I think you will find that. I think one of your confreres was able to confirm that it happened in Labrador, where they have trouble in finding nurses for the nursing stations in Labrador. I think you will find it from statements made by various hospitals in the Province. I am not sure if the Newfoundland Nurses' Associations or the Newfoundland Nurses' Union have made comments on it, but many people are going for where the action is. I can tell you from personal experience that I know of young nursing students who will graduate this year and next year who are deciding where in the world they will go. If they just like the sun only, they go to the sunbelts, such as Florida and California; if they like skiing and the sun, I believe now the emphasis is in Vancouver and

Victoria; if they like the night life, and all the other things that occur in a large city like Toronto, they will go there.

MR. KELLAND:
Mr. Speaker.

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

MR. KELLAND:
Thank you, Mr. Speaker.

There have been a lot of negative or disturbing media reports in the weekend papers about the Sprung project. A Dr. Tyson was quoted as having been in contact with an agricultural specialist belonging to the government who turned thumbs down on the proposal. Dr. Tyson says this person was upset that he was not permitted to speak to anybody, that the report was a negative report and it was buried. I would like to ask the Minister of Rural, Agricultural and Northern Development (Mr. Aylward) was such a report, verbal or written, given and, if so, where is the report?

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

MR. R. AYLWARD:
Mr. Speaker, I missed some of that question because I did not know if the hon. member was going to ask me a question or not until the end of it. Mr. Speaker, there were concerns, as I said many times in this House, by people within my department on recommendations on the Sprung Corporation. These concerns were met, Mr. Speaker, by government insisting on having lights installed in this operation here in Newfoundland over and above what was installed in the

Calgary operation, since the concerns were mainly because of light levels and production predictions, which is why we had the lights installed, Mr. Speaker.

MR. KELLAND:
A supplementary, Mr. Speaker.

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

MR. KELLAND:
Other than the reference to lighting did anyone in government recommend against the project to the minister? Who is the person who made that recommendation and is the minister prepared to table that report?

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

MR. R. AYLWARD:
Not all the time do you ask staff for recommendations, Mr. Speaker; you ask them for their concerns and do some research and point out any difficulties they might have. The difficulties that were pointed out from my department were the amount of light required to achieve production levels and marketing. Both of these questions were addressed during the negotiations with the Sprungs, Mr. Speaker, as we were negotiating to set up our very good project for this Province.

MR. KELLAND:
Mr. Speaker.

MR. SPEAKER:
A final supplementary.

MR. KELLAND:
The minister's answers still appear to be quite shaky to me and

he continues to avoid, or refuses to give specifics on the question I am asking. Will he now clearly state in this House that of all the governments across this country which were approached, is it not true that the Government of Newfoundland and Labrador is the only one to go for the Sprung proposal without adequate proof of its viability?

MR. SPEAKER:

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

MR. R. AYLWARD:

Mr. Speaker, Prince Edward Island, and I believe the Liberal Premier of Prince Edward Island (Mr. Ghiz) stated so when he visited Newfoundland last weekend, they would have the Sprung deal right now if the federal government had put in some money.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

Mr. Speaker, I have a question for the Minister of Rural, Agricultural and Northern Development. It also concerns some doubts expressed regarding the feasibility of the project. I would ask the minister, quite specifically, was there an independent study done of the appropriateness of the cost of this project in Mount Pearl?

MR. SPEAKER:

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

MR. R. AYLWARD:

Mr. Speaker, there were many

studies done in the last seven months, eight months now pretty well, on the viability and production estimates that Sprung gave and these studies will be released, as the Premier said, when we have finalized our negotiations with Sprung, and they will show quite clearly, Mr. Speaker, that this is a very, very excellent project for our Province.

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Fogo.

MR. TULK:

I am asking if there have been independent studies done, and that was my specific question to the minister, for this government in regard to the appropriateness of the cost of this project at Mount Pearl - now, let it be noted that he did not answer the question - I ask him to table them now, because we have to assume that the agreement has been signed. So I ask him now to table any of those reports that have been done and tell us by whom have they been done?

MR. SPEAKER:

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

MR. R. AYLWARD:

Mr. Speaker, the hon. gentleman has made the assumption that the deal has already been signed, and that is an incorrect assumption, Mr. Speaker.

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 Social Services (Mr. Brett). I would like to ask the minister, upon his return from his meeting last week in Halifax with other social service ministers from other provinces and representatives of the federal government, would he comment on the recently released report, which I believe came out the same time he was at the meeting, called **Battered but not Beaten: Preventing Wife Abuse in Canada**, which I understand was the subject of some discussion at that meeting? Could the minister tell the House today if he has had an opportunity to consider that report in light of the needs of battered women in this Province?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, that report was not discussed at our meetings and I am sorry to have to tell the hon. member I do not have a copy of the report.

MR. LONG:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. LONG:

Well, I was taking it from a media report where Mr. Jake Epp said it was discussed at the meeting. In any case, Mr. Speaker, my supplementary to the Minister of Social Services is whether he is considering, either through his

own department or in consultation with other departments, initiating a public education programme, directed at both victims of wife abuse and potential abusers, to deal with this very serious issue in this Province?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, the hon. member should know that the meeting held in Halifax was a meeting of provincial ministers and that the federal minister was not at the meeting, and wife battering was not discussed at all. The main topic of that meeting was child abuse. However, I could go on and tell the hon. member that we are very cognizant of the problems which he is talking about, and over the last few years we have opened up two or three new transition houses in the Province, and we recognize, Mr. Speaker, and we have said so over and over, not enough probably, not as many as we would like to see, but I believe that we are moving in the right direction.

MR. LONG:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. LONG:

I would like to put my final supplementary to the Minister Responsible for the Status of Women (Mr. Power), who is also the Minister Responsible for Career Development and the Job Creation Programmes of the government. I ask the minister whether he is considering making money available in the non-profit sector

for women workers in this Province who are dealing with transition services, to expand the availability of transition services across the Province? Will the minister make funds available for an Employment Programme to expand transition services in the Province?

MR. SPEAKER:

The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:

Mr. Speaker, the member asked two different questions. One is: Are we intending to take money from our Private Sector Employment Programme for these types of social programmes? That is the question you asked first. The answer to that question is absolutely no. The member obviously has some great, I suppose, lack of belief and credibility in the fact that we want to create some jobs in the private sector, which helps everyone in this Province, in particular women, as well as anybody else. In that sector, Mr. Speaker, we are going to continue to try and create employment, through the private sector, and we are not going to use that private sector money to try and solve the social problems that the member mentions.

As it relates to wife battering in the Province, Mr. Speaker, through our Department of Social Services and through my own department of post-secondary education we are doing some education programmes for our post-secondary teachers and students. Also, Mr. Speaker, this Fall we will be doing a brochure, a manual for community service groups in the Province as it relates to wife battering, on services that are available to

battered wives and that type of thing. That will be released to public groups this Fall. We will continue, Mr. Speaker, to do as much as we can in this area, but not at the expense of job creation through the private sector, which that member obviously wants.

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, my question is to the Minister of Mines (Mr. Dinn). The Premier gave a commitment three weeks ago in this House to get back to us within a couple of days - that was three weeks ago - with reference to Teck Corporation's counter-proposal to government to reopen the Newfoundland zinc mine at Daniel's Harbour. It was three weeks ago that the Premier gave a commitment in this House to get back within a few days.

Can the Minister of Mines tell us if they did respond to Teck Corporation's counter-proposal, and if they did, what was the response?

MR. SPEAKER:

The hon. the Minister of Mines.

MR. DINN:

Mr. Speaker, this morning I have been trying to get in touch with the gentleman in Teck Corporation who is responsible for Daniel's Harbour. Up to the point of time that I left the office to come to the House I could not get in touch with him, but the deputy has been given that responsibility this afternoon and hopefully I will have something more to report tomorrow.

MR. FUREY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. FUREY:

Mr. Speaker, the frustration is running very deep in Daniel's Harbour, to the point where people are contemplating blocking the roads and there is a delegation on the way to St. John's right now. I want to ask the minister: Why was it that when there was a crisis in Flat Bay the government responded in twenty-four hours, and in St. Lawrence when there was a crisis he responded in forty-eight hours? Why has it taken you fourteen months to respond to this crisis at Daniel's Harbour?

MR. SPEAKER:

The hon. the Minister of Mines.

MR. DINN:

Mr. Speaker, the hon. gentleman is obviously trying to make a political issue out of something which is very important not only to the people of Daniel's Harbour but all the Province. Yes, the government reacted fairly quickly with respect to Flat Bay, in the sense that we set up a committee. That committee is in place. With respect to St. Lawrence, it took some six years to get anything done for the people of St. Lawrence because it took five years for the legislation to become operative.

In the case of Daniel's Harbour, last September I had a discussion, which, by the way, was initiated by the government, not by Teck Corporation. That discussion took place in Calgary, Alberta, because that is the only area I could get

to trace the gentleman responsible down to, Calgary. He was going to be there at a particular time and I made sure that I was there to meet with him. At that time there was an offer, a proposal, with the possibility of opening up Daniel's Harbour. By the time I got back and got that proposal in written form ready to go forward to government, zinc prices had gone down and the offer was off.

Periodically, through that period from September to just about a month ago, I talked back and forth with Teck Corporation, and had no offer at all, really, until zinc prices went above thirty-five cents. When that happened there was a little more interest in the possibility of reopening that mine. If the hon. member will recall, just before April 1, which was the deadline when the majority of the people out there were going to run out of UI, at that time there was a kind of a promise that they would have a proposal into us at that time. Then I eventually arranged a meeting for sometime in mid-May, at which time there was no real offer made. What happened then was, 'We would make an offer if you would pay us the \$420,000' - that is, \$35,000 a month for mothballing. So that had to go through the process in order to get that approved, and when that was approved, then we got a proposal from Teck Corporation.

Now I am sure the hon. member does not think that this government operates simply on a request by a company, 'Pay us \$2 million and we may open up a mine at Daniel's Harbour,' but, I mean, if that is what he thinks happens, I can assure him it does not.

What does happen is this: A proposal comes in, and then there

are certain things that have to be cleared up: How long are you going to have to stay open for? Can you guarantee us a minimum of so much time, say, fifteen or eighteen months? Can you do this or can you do that? Then there is a negotiate that takes place. Some of that has taken place. The government has agreed to most of it. There are several points now that have not been agreed to. We would like to get in touch with the gentleman responsible, Mr. Litkewich, and when that happens, and we can get those points straightened out, then and only then can we give a reasonable and honest answer to the people in Daniel's Harbour. I would have loved for it to have been last September. Unfortunately it could not be, so I hope it is tomorrow or the next day.

MR. EFFORD:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Port de Grave.

MR. EFFORD:
Thank you, Mr. Speaker.

Mr. Speaker, my question is to the Minister of Social Services. It arises out of the continuing number of phone calls that we are receiving as Opposition members, and the continuing number of letters that have been written in to the local papers concerning the upset parents of this Province. I have to ask the minister, in view of the fact that he will not apologize, and in view of the fact that he has not as yet resigned, will the minister at least admit that the statements he made over a week ago and since then are his own views and not government policy?

MR. BARRETT:
That has been asked about fifty times already. Sit down! Do not be so foolish. You are wasting the time of the House.

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

MR. BRETT:
Mr. Speaker, I believe that that matter has been passed around enough here in this House and in the Province, and I have no further comment on it, Mr. Speaker.

MR. EFFORD:
A supplementary, Mr. Speaker.

MR. SPEAKER:
A supplementary, the hon. the member for Port de Grave.

MR. EFFORD:
'No further comment', Mr. Speaker, is not satisfying the upset parents of this Province. Perhaps the minister did not understand the question. The minister has not apologized and the minister has not, as of yet, at least publicly, resigned. I would ask the minister, in view of the fact that his colleagues have disagreed with his statements, in view of the fact that the Premier has disagreed with his statements, will he not at least tell the people of this Province, the working parents of this Province, that the statements he made were his own personal statements and not government policy?

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

MR. BRETT:
Mr. Speaker, I still do not wish to comment any further on that.

MR. EFFORD:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for Port de Grave.

MR. EFFORD:

Is the minister telling the parents of this Province, the working parents whom he has cast such a guilt complex on, that he can perform his duties as Social Services Minister for wife battering and all the child abuse and the day care problems by saying no comment?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, I have spent, as I said Friday, the best part of my life working with working parents and non-working parents, indigent people, widows, orphans, people with developmental delays, and on and on it goes. I have given the best years of my life and have always worked in a very co-operative manner. I have always been a very, very strong advocate for social services, and, Mr. Speaker, that includes quality day care in this Province and in this country.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. SIMMONS:

Mr. Speaker, I want to put a question to the Minister of Career Development and Advanced Studies.

It would seem, judging from the procedures being used to hire students for the Summer, whereby the parks people, Forestry, Public Works and Services, Tourism are hiring internally, that the government has taken a deliberate decision not to use Manpower in the hiring of students for those Job Creation projects. Would the minister confirm whether that is the case and, if so, indicate why that decision was taken, or at least that practice is being followed, which certainly is being followed, and that the departments are hiring internally?

MR. SPEAKER:

The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:

My understanding, Mr. Speaker, is that question was answered on Friday. My understanding of how students are hired for a department is done department by department, it is not co-ordinated by the Department of Career Development and Advanced Studies. My understanding is, from having been in the line Department of Forestry for a period of time, that hiring Summer students is not done through Canada Manpower, but was often done by write-in requests from students, and often I would send their names to individual ministers or departmental staff saying that they want to have a Summer job in a respective park, and if it can be done it is done. But it is never done, to my knowledge, through Canada Manpower.

MR. SIMMS:

It is a provincial programme.

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. SIMMONS:

Mr. Speaker, perhaps the minister misunderstood the question. That was the question. Mr. Speaker, the Minister of Forest Resources and Lands (Mr. Simms) says it is a provincial programme. Manpower, I say to him, is also utilized by a number of private enterprises. The distinction here is not between federal and provincial. The question is, Mr. Speaker, why would several departments of government go through the business of setting out their own hiring mechanisms when the taxpayers of this Province have in place a mechanism, called Canada Manpower, which exists for that very purpose? What is the reason that government insists on not dealing through that legitimate agency, Canada Manpower, for the purpose of acquiring persons to fill those jobs?

MR. SIMMS:

Same question.

MR. SIMMONS:

Why is it being done? Why is it, Mr. Speaker, that Canada Manpower has not been asked to do this, why is it being done internally?

MR. SPEAKER:

The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:

Mr. Speaker, if the programme were any more bureaucratic than it already is, it would simply mean that students would not get hired in time enough to get any real benefit from Summer employment. The point of it all is that you have a Department of Forestry, as an example, that has a number of

requests on file for any given project in any given area. The names are there, the written requests are there, and some students have worked in previous years. It is just an expeditious way to get your students working as quickly as possible, to do it internally rather than going through another agency of the federal government to find out which students you might hire in a certain area. Do not forget, Mr. Speaker, the purpose of those programmes is to get students working as quickly and for as much of the Summer as possible so that they will have some money to cut down on their educational costs when they return to school. That is a programme we have always worked by. My understanding, from having been in a line department for a fair bit of time, is that it is very efficient and it works quite well. So why change.

MR. SIMMONS:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the Leader of the Opposition.

MR. SIMMONS:

Is not the minister concerned at least about the perception here of political interference, a perception that is confirmed by at least one recent report of government, the one that became public a few days ago, a report addressed to the Minister of Culture, Recreation and Youth (Mr. Matthews), about the government's political reason for just about everything it does? Is the minister not concerned about the perception here that those young people are getting the jobs on the basis of their connections, that government is making job decisions on the basis of politics rather

than on the basis of needy people? Is he not concerned about that particular perception? And could he not see that if it went through the Canada Employment Centres, if the hiring practices were directed that way, that that perception would be removed?

MR. POWER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:

Mr. Speaker, no, I am not particularly concerned with the perception. I am concerned at the number of students who, on one hand, have some money when they access back to post-secondary institutes in the Fall, so they do not have to use any more Student Aid and get themselves any further in the whole than is necessary. So I am anxious that students have jobs and I am anxious that as many students as possible work. We have identified that in our new Public Employment Programme, where there is \$7.5 million of employment money this year, 40 per cent of that is supposedly for use of workers below the age of twenty-five. Mr. Speaker, that is what I am concerned about, getting students jobs so they can go back and not be a great deal in the hole when they finish their post-secondary studies. That is what I care about, not the political perceptions of anybody.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, in the absence of the Minister of Finance (Dr. Collins) I have a question for the Government House Leader, the Deputy Premier. I wonder can the minister indicate what is the present amount of arrears owing the provincial government on Retail Sales Tax?

MR. OTTENHEIMER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. OTTENHEIMER:

Mr. Speaker, I did not check that just before coming to the House, but I will undertake to get it for the hon. gentleman tomorrow, the current amount of arrears in R.S.T.

MR. LUSH:

A supplementray, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, this is a very important matter. It is not something to be trivialized in the way that hon. members are now doing. It is a very, very important matter. My supplementary to the minister is this -

MR. BUTT:

You forgot your question.

MR. SPEAKER:

Order, please!

MR. LUSH:

No, I did not forget my question.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:
Order, please!

MR. LUSH:
Mr. Speaker, my supplementary to the minister is: Can he indicate to the House what procedures are now being taken to ensure that the Retail Sales Taxes are being collected? Because I understand that we have some very, very firm procedures laid down, and I believe that the amount of arrears right now is somewhere hovering around \$13 million. Now, Mr. Speaker, this is a huge sum, and I am wondering can the minister indicate what steps are being taken, in view of the stringent procedures laid down, in view of the fact that tax auditors have been given a quota system, to ensure that the Retail Sales Tax is being submitted to government?

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

MR. OTTENHEIMER:
Well, Mr. Speaker, because I told the hon. gentleman in answer to his first question that I did not immediately have on me the amount of RST in arrears does not mean that I am treating it in a trivial manner; I am giving the hon. gentleman a truthful assessment. But I will certainly check, I will take it as notice, and will inform the hon. gentleman tomorrow. As a matter of fact, the Minister of Finance himself I think will be here tomorrow. He is up attending a meeting with Mr. Wilson and his provincial counterparts, and I am sure that he will be able to provide that information and also to outline, much better than I could, the procedures of the Department of Finance with respect to the collection of RST. And when you can get it right from the

horse's mouth, why settle for getting it elsewhere?

MR. SPEAKER:
Order, please!

The time for Oral Questions has elapsed.

Answers to Questions
for which Notice has been Given

MR. R. AYLWARD:
Mr. Speaker.

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

MR. R. AYLWARD:
Mr. Speaker, on May 29, 1987, the hon. member for Menihek (Mr Fenwick) asked me some questions about the minimum price of milk in other parts of Canada. I indicated I would get him a report and some information on minimum prices throughout Canada. I do not have the report yet. It is the property of Agriculture Canada. For the benefit of all hon. members and because the minimum pricing was a big issue in this Province for quite some time, I will just read this out for hon. member's information. I had a telephone survey done from my office where people asked, 'Does your province have a minimum retail price on milk?'

In Nova Scotia, the minimum wholesale price is established and this price becomes a minimum retail price. In Prince Edward Island, prices are set at the producer, wholesale and home delivery levels and retail prices cannot be less than the minimum wholesale price. In New

Brunswick, the price is set at the producer level only. In Quebec, there is a minimum retail price set and, I believe, although this is in French here, it is set by the Agricultural Products Marketing Board. I do not know how to pronounce it because it is in French. In Ontario, the price is set at the farm gate only. In Manitoba, minimum and maximum prices are set at the retail and wholesale level. In Saskatchewan, prices are set at the home delivery and wholesale levels in ten major cities and this effectively set the price levels throughout the Province. The stores use the home delivery prices as a guide in setting the retail prices. Retail price cannot be less than their wholesale costs. Volumes, discounts and rebates are not allowed. Alberta has minimum retail prices set by the Public Utilities Board. In British Columbia, the price is set at the producer level and by cost to processors for each class of milk sold.

I wish to table that information for hon. members, Mr. Speaker.

Petitions

MR. FENWICK:
Mr. Speaker.

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

MR. FENWICK:
Mr. Speaker, I have here a petition with thirteen names on it. It is a late entry in a serious of petitions we presented at a previous time so I will just indicate the subject of it and table it almost immediately so

that we do not have to go through the same arguments. It has to do, of course, with the public service pensions being received by individuals in this Province at age sixty and the reduction that our provincial government, alone among all governments in Canada, is bringing in by reducing the pensions. We belabour the issue again and again, Mr. Speaker.

I would like to point out today one or two things that are quite different. There are 24,000 public employees in this Province who are covered by the Public Service Pension Plan. Mr. Speaker, I say to the government opposite that those 24,000 are very sensitive about this issue and their pensions and are very much, I think, looking at the government to see how they will behave. I absolutely guarantee you, if you do not want to take 24,000 people, their spouses, and their children and throw away those votes, then you had really better change the policy that you have in terms of reducing their pensions.

Also, I should point out, there are 6,000 pensioners who are receiving pensions from the Public Service Pension Plan, or at least about 4,000 from that plan and about 2,000 from the teachers' plan, of which approximately 1,000 or so are, at this moment, having their pensions reduced. I have talked to a number of them in the door to door canvassing I have been doing in the St. John's East by-election. They are very upset. They are looking at it and indicating the one way they can get back at this government will be to tell them in a ballot box that they certainly do not agree with the philosophy.

So, Mr. Speaker, I say to them again that you continue to do this foul deed upon your own employees and your former employees at your peril. If you wish them to vote for the New Democratic Party in the next election, then keep on doing it because we would be quite happy to have the votes of these fine citizens.

MR. J. CARTER:

Mr. Speaker, a point of order.

MR. SPEAKER:

Order, please!

A point of order, the hon. the member for St. John's North.

MR. J. CARTER:

I may have misheard the hon. gentleman, in which case I would apologize, but I assume in his petition he is talking about the pensions that are affected by the Canada Pension Plan. Am I correct in that? I would like him to clarify exactly what he is talking about, because I feel that he is inadvertently, possibly deliberately, but certainly inadvertently, misleading the House.

MR. SPEAKER:

To that point of order, there may be a difference of opinion between two hon. members, but there is no point of order.

The hon. the member for Menihek.

MR. FENWICK:

Mr. Speaker, since it is not a point of order, it is obvious that the minister for St. John's or the member for St. John's North - actually, he was not minister very much longer than the Leader of the official Opposition, when we look back on it. I am not sure how many days longer, but whatever.

That is beside the point, Mr. Speaker.

To the point of order that was raised, which is by way of asking for additional information, the answer is no, this has nothing to do with the Canada Pension Plan, it is the Provincial Pension Plan. The Public Service Pension Plan is being arbitrarily reduced by this government because it sees a loophole in the legislation and it sees a way of doing it, even though no other jurisdiction in Canada has seen fit to do it.

MR. J. CARTER:

A point of order, Mr. Speaker.

MR. FENWICK:

Mr. Speaker, I am finished my comments so do not bother calling me up again.

MR. SPEAKER:

A point of order, the hon. the member for St. John's North.

MR. J. CARTER:

I think it is a worthwhile point of order because when misinformation is being spread, then it is every member's duty to get up and set the record straight insofar as he is able to do so.

Now, my understanding is that this is directly related to Bill 40. If I might be given a moment to explain because I think the matter is quite important. I, myself, have had some people come and voice their concerns about the possibility of their pension being reduced. It is not true. It is quite mistaken. It so happens that at the age of sixty you may opt to draw your Canada Pension. If you do, then you get a much lower rate of Canada Pension than if you wait until you are sixty-five.

Up to now, the legislation that is in place is that if an employee does retire at sixty, then his pension must be reduced by the amount of Canada Pension that he is eligible for, even though he does not elect to draw it.

MR. SPEAKER:
Order, please!

The hon. member is not making a point of order. It is maybe a difference of opinion between two hon. members.

MR. J. CARTER:
Your Honour, I am trying to explain what the hon. gentleman is up to. I think members opposite ought to be equally concerned because this is just not so. It is a fact that the amendments that are being proposed will slightly increase pensioners pensions. I think it is very wrong for this misinformation to be allowed to stand, very wrong.

MR. SPEAKER:
To that point of order, there is no point of order.

The hon. the member for St. John's East was first up. I will recognize him.

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

MR. LONG:
Mr. Speaker, I would like to speak in favour of the petition so ably presented by the hon. member for Menihek and speak in support of the names that have been brought forward on the petition. I believe some of them are members and employees of the Newfoundland Association of Public Employees who are seconding the petition that has already been submitted by other government workers, both in

this building and in the adjacent building. Government workers have contacted our office to express their concerns about this.

I would also like to make representation on behalf of constituents in St. John's East who have contacted me and have told me that, after electing to take early retirement when the CPP changes were brought in in January, they were immediately penalized by this government. They are also somewhat confused by the sequence of events here. The member for St. John's North (Mr. J. Carter) and the Finance Minister (Dr. Collins) come into the House day after day and say that this is not happening. There is obviously a disagreement between hon. members as to what reality is in this case.

We have senior public employees who have retired early having their pension programme reduced as a result of federal changes to the pension or CPP programme, changes that were brought in in January and they would come forward with concerns to their elected representatives to say that they are unclear as to why this happened. They do not think that it was fair that this government would bring in its own measure, would intervene after changes were brought into effect January 1 to take money away from people who paid all their working lives into their own pension plan and then only to find themselves being penalized by this provincial government after an initiative taken by the federal government.

Mr. Speaker, I would like to refer to correspondence from the federal Minister of National Health and Welfare, Mr. Jake Epp, to our own provincial Finance Minister. Mr.

Epp refers to the CPP changes brought into effect on January 1 and says that the intent was not to make limitations or restrictions available on provincially administered plans but, in fact, was designed to be of maximum benefit to the pensioners.

Mr. Epp had strong words to our own Minister of Finance suggesting that we were the only provincial jurisdiction in the country taking this extraordinary step to take money away from pensioners in this Province. The federal minister was outlining the design and the intent of the CPP changes which came into effect in January 1 and was essentially, in a diplomatic fashion, reprimanding our own Minister of Finance for his very unusual, certainly unanticipated initiative in this direction.

We are today, on behalf of the signatures on the petition and on behalf of the others who continue to come forward, not only demanding some accountability and some explanation on this but calling for a reversal of this initiative by the government. We expect that we will have more to say as the legislation is brought in, Bill No. 40, to try and give some legitimacy to the action that has been taken by the government.

In closing, Mr. Speaker, I would say that the member for St. John's North can rise on however many points of order he wants; the Minister of Finance can come in and say that this is not happening, but there is a disagreement as to the reality facing pensioners in the future and people who have already elected early retirement. The impact of the CPP changes was not something that anybody anticipated

and we are now having senior citizens in this Province, retired public servants, being robbed by this government, having money taken directly out of their pockets behind an initiative taken by the federal government that was designed to assist pensioners.

That action, Mr. Speaker, must stop. We will continue to bring this issue forward in this Chamber and bring it forward to the public of this Province. We assure you, Mr. Speaker, and we assure hon. members of the government that this is going to remain a hot political issue for some time to come.

Thank you, Mr. Speaker.

MR. J. CARTER:
Mr. Speaker.

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

MR. J. CARTER:
Mr. Speaker, I would certainly be the first one to agree with the concerns of the people who have signed this petition, but I would be equally fast to say that the members of the third party here are being utterly irresponsible, not only politically, I think criminally irresponsible in neglecting to point out the realities of the situation.

This situation is quite straightforward. Under present legislation, people who take early retirement, if they are over sixty, are automatically eligible for some Canada pension. If they are eligible for some Canada pension, even though they elect not to take it, their pension is therefore reduced. But the legislation that is on the Order

Paper now is going to address that and redress that. That will mean that even if you are eligible for Canada pension, it will not make any difference to your early retirement pension, provided you opt not to take it and this will make a difference, quite a considerable difference in all the pensions that people take when they take early retirement.

It is as simple as that. It is as simple as ABC and it is wrong and very wrong for any member of this House, and particularly the members for a party that purports to be responsible, to distort the situation to this extent. It is just as wrong as it can be and I think they should be censured. In fact, I intend to bring a motion into this House censoring them tomorrow.

Orders of the Day

MR. OTTENHEIMER:
Order 4. Bill 10.

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

Committee of the Whole

MR. CHAIRMAN:
Order, please!

A Bill, "An Act To Amend The Newfoundland Veterinary Medical Act, 1971." (Bill No. 10)

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

MR. OTTENHEIMER:

Order 5. Bill No. 11.

A bill, An Act Respecting The Encouragement And Regulations Of An Aquaculture Industry In The Province." (Bill No. 11).

On motion, clauses 1 through 4, carried.

MR. CHAIRMAN:
Shall clause 5 carry?

MR. OTTENHEIMER:
Mr. Speaker, if we could stop there at the appropriate clause, I have an amendment to make. When we get through the others, I will come back to it. Really, it is parallel to a typographical error. What I understand happened is that lines went out of order in a word processing machine. So I have to locate that, or, if one of the clerks would locate it for me, then we will proceed with great dispatch. I see that efficiency is the order of the day.

MR. SIMMS:
Bill 11.

MR. OTTENHEIMER:
Yes, we are on Bill No. 11. It does not say here what clause, but it is clause 2. Could we revert to clause 2, by leave?

SOME HON. MEMBERS:
Agreed.

MR. OTTENHEIMER:
Clause 2: It is moved that paragraph (a) of clause 2 of this bill be struck out and the following substituted: I am told, and I am sure it is the case, that this is either a typographical error or a misplacement of lines. Actually, what it is is a definition of aquaculture:

"Aquaculture means the cultivation

of a aquatic plants or animals and includes sea ranching up to the point of release of the aquatic animals, but does not include holding aquatic plants or animals in an aquarium for non-commercial purposes," - it does not affect gold fish - "holding aquatic plants or animals for experimental purposes in a laboratory operated by a scientific institution recognized as such by the minister or activities exempted by regulations.

On motion amendment, carried.

Shall clause 2 as amended carry?

MR. FENWICK:

No.

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

I listened as closely as I possibly could to the revised description of it and I still have not got a clue what the change is that was made. Now, I would assume that if he was going to make a change to it he would tell us what the change is.

SOME HON. MEMBERS:

He did.

MR. FENWICK:

He did, but he read it out without a hard copy of it here. Could the minister at least tell us what the change is over the previous definition? It would certainly be appreciated. I just want to know what he is saying.

MR. CHAIRMAN:

The hon. the President of the Council.

MR. OTTENHEIMER:

Mr. Chairman, I am told that the change is with respect to 'sea ranching'. If the hon. gentleman looks at the bill as printed, fifth line down, there is 'sea ranching'.

MR. FENWICK:

What is the change?

MR. OTTENHEIMER:

I shall read all this out again - if I had two sets of eyes I could read them parallel, but I cannot. Perhaps the hon. gentleman can do that. I am now reading the amendment: "Aquaculture means the cultivation of aquatic plants or animals and includes sea ranching up to the point of release of the aquatic animals, but does not include holding aquatic plants or animals in an aquarium for non-commercial purposes, holding aquatic plants or animals for experimental purposes in a laboratory operated by a scientific institution recognized as such by the minister or activities exempted by regulations."

The change is replacing of the wording 'up to the point of their release' and that goes after 'sea ranching' instead of before 'sea ranching'.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

Mr. Chairman, I have a question here. I am not sure what the answer to it is, but I can ask it. Is this the normal way in which an amendment to a bill is introduced, without a copy being provided to other members of the House? It seems to me that it would be helpful if -

AN HON. MEMBER:

Yes, it is.

MR. FENWICK:

I am wondering if it is a violation of the rules of order, not to be able to give us a hard copy. Because it seems very difficult to just enter these amendments in that quickly and go with them.

MR. SPEAKER:

The hon. the President of the Council.

MR. OTTENHEIMER:

Mr. Chairman, it is absolutely a violation of nothing. If it were a matter of consequence - I do not think there is any obligation, but we are not talking about legal obligation, we are talking about the reasonable way that people act with one another in the House of Assembly. This is a matter similar to a typographical error or the misplacing of a phrase. I would think the hon. gentleman must have little on his plate if that is worrying him. This is the usual way. Every now and then there are typographical errors or the misplacing of a phrase or a word in the drafting and then it is corrected in Committee.

MR. SIMMONS:

Mr. Chairman, is the minister aware (inaudible)?

MR. OTTENHEIMER:

Right. I thank the hon. Leader of the Opposition. I understand, also, that when the hon. minister was speaking to the bill at second reading he pointed out that there would be an amendment in Committee of the Whole because of the misplacing of certain words.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Actually, Mr. Chairman, I was here at that time and the change was to another clause, as I recall, unless he indicated that one.

I want to rise on a point of order here.

MR. CHAIRMAN:

A point of order, the hon. the member for Menihek.

MR. FENWICK:

If I recall correctly, the Chairman, as we went through this clause by clause, called Clauses 1, 2, 3 and 4 and we carried them.

MR. OTTENHEIMER:

I asked for leave to revert to Clause 2, which was granted by the House.

MR. FENWICK:

I did not hear you asking for leave.

MR. OTTENHEIMER:

If the hon. gentleman is not listening, there is not much I can do about it.

MR. FENWICK:

As a matter of fact, what I heard was, 'Oh, we have a change to be made here. Hold on! Let us find the change and go back to it.' The reason I am pointing that out, Mr. Chairman, is that we were in debate on Bill 34 a while back and we ended up with a very rapid-fire introduction of clauses like that. When we protested that we wanted to debate a previous clause, we were told that under no circumstances could we go back to it. I am just wondering why that rule was enforced on us at that time when the House Leader, in this particular instance, is allowed to romp all over the rules and go back and forth and

everything else.

It seems to me that I am going to stand on my point of order. We did not give leave to go back to this clause.

MR. OTTENHEIMER:

Leave was given. I asked leave to go back and nobody objected to me going back.

MR. FENWICK:

Well, I did not actually hear leave being asked for. All I heard was the minister saying, 'Hold it! there is a change here that was supposed to be made and the change never occurred.'

So, on my point of order, Mr. Chairman, I believe we have carried that particular clause and I cannot see how the government can come here and insist that we can go and turn things back, especially when I was not specifically asked for leave nor did I give leave to go back to it.

MR. OTTENHEIMER:

We do not ask specifically of the hon. gentleman. When I say is there leave and nobody says to the contrary, the Chair assumes there is leave and leave is granted. We do not send personal invitations.

MR. TULK:

Mr. Chairman, to that point of order.

MR. CHAIRMAN:

To that point of order, the hon. the member for Fogo.

MR. TULK:

Mr. Chairman, the truth of the matter is, the hon. Government House Leader is right. He got to Clause 4, I believe it was, and then he asked if there was leave of the House. I specifically

remember saying myself, yes, by all means, leave is granted. As the Government House Leader says, if the hon. gentleman was not listening, he should be. There is no point in him now raising a point of order on this whole matter, because leave was granted by the House.

MR. CHAIRMAN:

To that point of order, leave was granted.

MR. FENWICK:

I just want to go back to it. If Leave was granted, he was asking to hold up the proceedings in order to look at a further clause.

MR. CHAIRMAN:

Order, please!

Is this another point of order?

MR. FENWICK:

What I am saying to you is -

MR. CHAIRMAN:

Order, please!

Is this another point of order?

MR. FENWICK:

- when we were asked for leave, we did not grant leave to go back -

MR. CHAIRMAN:

Order, please!

MR. FENWICK:

- we were expecting to go on to a further clause.

MR. CHAIRMAN:

Order, please! Order, please!

MR. FENWICK:

Could you tell us what clause we are on now?

MR. CHAIRMAN:

On motion, amendment carried.

On motion, Clause 2 as amended carried.

On motion Clauses 5 through 13 carried.

MR. FENWICK:

On a point of order, Mr. Chairman.

MR. CHAIRMAN:

A point of order, the hon. the member for Menihek.

MR. FENWICK:

The reason I raise the point of order is it is my understanding that when the minister introduced this piece of legislation he intended to introduce an amendment to Clause 11, that he wanted to change in 11 (e) 'prescribing the use, content and enforcement of' and instead of 'management plans for sites', 'development plans for sites.' Now, I clearly heard you go past Clause 11, and I am assuming that the government is now going to ask for leave to go back to that, as well.

MR. OTTENHEIMER:

Sorry to disappoint the hon. gentleman, but we are not.

MR. FENWICK:

You are not? Oh, well.

On motion, Clauses 13 through 18 carried.

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

MR. OTTENHEIMER:

Order 6. Bill No. 18.

A bill, "An Act To Amend The Occupational Health And Safety Act". (Bill No. 18).

Motion, that the Committee report having passed the bill without

amendment, carried.

MR. OTTENHEIMER:

Order 7. Bill No. 19.

A bill, "An Act To Amend The Emergency Measures Act". (Bill No. 19).

MR. KELLAND:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Naskaupi.

MR. KELLAND:

Thank you, Mr. Chairman.

Just a few comments I would like to make before we get through this important piece of legislation. In second reading, I had the opportunity to make a couple of comments and indicate our support for the intent of the amendment with respect to Clause 1 in particular, or the moving of administrative responsibility for Emergency Measures to Municipal Affairs. We do support that. We understand that it was an amendment that was required and requested by the Newfoundland and Labrador Federation of Municipalities which, in their recommendations included a couple of parts to that specific point, that the administrative responsibility would go to the Department of Municipal Affairs. The reasons, I think, were stated a number of times during second reading. I also understood that the Ground, Search and Rescue portion of Emergency Measures will go to Municipal Affairs.

Now I understand that that is not going to be the case and there may be some questions that could be asked about that. I believe that many people in the field, who are involved with the volunteer

organizations known as Ground, Search and Rescue, teams, or groups, or committees, had the belief that in the change of administration that particular portion, Ground, Search and Rescue, would be included. Those in the field who have to carry out these volunteer functions have that opinion. The information I have on that is that they are not prepared to be managed by the RCMP. My understanding is as such, because they believe that their responsibility and their commitment to their communities is of a much broader cope than purely ground, search and rescue under the direction of the RCMP; they are available for many, many other aspects of community work when they are called on by municipal councils and so on. To sort of emphasize that feeling in the field, I have been given to believe that one of the largest groups, if not the largest group in the Province, in the Exploits Valley area, have changed their name most recently from Ground Search and Rescue to the Exploits Valley Emergency Response Team, which means it goes a little beyond Ground Search and Rescue. In any sort of an emergency that would be under the control of the municipal authority and Emergency Measures, during whatever the disaster or situation was, that group and these groups would be available to respond whenever called on.

I also understand, on the other side of the question, that most recently an organization called the Lake Melville Ground Search and Rescue Team was put in place in the Happy Valley - Goose Bay area. This one was put in place specifically by the RCMP and not under Emergency Measures, as the twenty-some-odd had been

previously. I would like to know the rationale, and perhaps the minister might have an opportunity to expound on that just briefly, behind not including Ground Search and Rescue under his administration as part of the general concept of emergency measures. It would strike me that if there is a rationale for putting Emergency Measures under Municipal Affairs, that all parts of that parcel would be included, and Ground Search and Rescue is certainly one of those aspects. Beyond asking that question of the minister, if he has an opportunity to respond, and hopefully he will take the opportunity to give me the information, we do reiterate that we are in support of the concept of changing the administrative responsibility. I understand that the Social Policy Committee, Mr. Minister, in deciding on whether or not they would change the administrative responsibility to your department made the decision to do that, but they also consciously made the decision not to put Ground Search and Rescue under that blanket, or under that umbrella as well. I would like to have the minister give some detail of the rationale, because it is an issue of importance, I believe. I believe that when an emergency measure situation occurs and when the municipal authority is in a position where they have to declare a state of emergency, they, working in conjunction with organizations such as the RCMP and others, are really the controlling authority, working through the Department of Municipal Affairs. So it strikes me that if you have Municipal Affairs and the municipal authority within a community directing certain operations, that you have yet a third party, the RCMP, directing a

certain aspect of it. I wonder if that is not a fragmentation of responsibility, or a duplication of effort in some cases? Would it not be more effective if they were under the one control?

That is really the only point I wish to raise, Mr. Chairman, and perhaps have the minister give us some information on that.

MR. FENWICK:
Mr. Chairman.

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

MR. FENWICK:
Actually, it is interesting that the member for Naskaupi would raise that issue, because it was one that concerned me as well. It seemed logical that if you moved EMO under Municipal Affairs, that it would be appropriate to have the municipalities, locally, in charge of the Ground Search and Rescue Teams. However, since the change was made to the local police forces, I have had the opportunity to consult with the Ground Search and Rescue team in Labrador West, which, by the way, I think is one of the finest in the Province and does a magnificent job, and in consultation with them what I have found is that the Royal Newfoundland Constabulary in Labrador West has done an extraordinarily good job in dealing with the Ground Search and Rescue Teams and their advice to me was that they have received a lot of support, a lot of leadership, and a lot of initiative from the constabulary and they feel, on this basis, that they are much better off than when they were under Emergency Measures people, directly into, so to speak, the Department of Justice.

I asked them, Well, what about the concept of having them included under the municipalities and their suggestion was, no, that since the police have to co-ordinate the searches anyway, on that basis they felt that being attached to the local police force is probably the best way to handle it. They are satisfied that the co-operation they received from the constabulary has been excellent, and they feel very supportive of the recommendation that was put in, I think a year or so ago, when we switched it over, to being under the police forces. I just thought I would add that bit of information to the member for Naskaupi's. Perhaps his Ground Search and Rescue Team may not have as good a relationship with the local police force, but my experience has been, in my district, that the system is now working extremely well. I do not see anything we would gain by having them under the local municipalities, themselves, which, I think, was the suggestion that the member was making. Are you suggesting that Ground Search and Rescue Teams go under Municipal Affairs?

MR. KELLAND:
That is part of it, yes.

MR. FENWICK:
Well, what actually happens is the Ground Search and Rescue Organization, the EMO organization, is under Municipal Affairs, the Ground Search and Rescue Teams which are co-ordinated anyway from Municipal Affairs, in the sense that Greer and the rest of the people are there. But the experience that we have had, at least, is that the police forces have done a good job on it. So I would recommend to the Minister of Municipal Affairs

that the system that was set up seems to be working well in my district. Maybe he has information from other areas where it is not working as well, but certainly I can endorse the situation that we created about a year ago as being a good, operative one for Labrador West.

MR. KELLAND:
Mr. Chairman.

MR. CHAIRMAN:
The hon. the member for Naskaupi.

MR. KELLAND:
Perhaps the member for Menihek did not hear what I said. You may recall that in the comments I made I said the newly formed Lake Melville group was formed by the RCMP, not under EMO, the previous thing. If I can just read this, which is an excerpt from the town council minutes, it may explain it in a little more detail than I did: 'Constable Frank Skidmore, public relations representative for the Ground Search and Rescue Team, addressed council. Also in attendance was team commander Larry Bradley. Constable Skidmore advised council that this is an independent, volunteer organization organized for community service. Mr. Bradley advised the rescue team is ready to assist in the community when required and is open to input from the town.' So, I did not particularly care for the reference that perhaps our emergency team does not get along as well with the police as yours does. I just want to make sure that it is not construed to be that way for the sake of the record. Because, as in any organization of volunteers, they obviously have community interest or they would not become involved in the first place. My point was,

if you are going to shift the package of Emergency Measures to Municipal Affairs, why not shift the entire package, part of which is the Ground Search and Rescue Team?

As I indicated about the Exploits Valley group, they are interested in more than just ground search and rescue. They are, in effect, a community oriented volunteer group who respond to the RCMP or the local police willingly, and as often as required, but they will also do other things, and the other things, along with ground search and rescue, do have some significance for the municipal council, which controls emergency situations.

Thank you, Mr. Chairman.

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

MR. DOYLE:
In responding briefly to the member, I would point out that I think what the member for Menihek says makes a great deal of sense, in that the Ground Search and Rescue Units should still be left with the police force. Because when you get involved in an emergency, the police force is very often working along with other federal police forces, with the Coast Guard units, and what have you. The Emergency Measures Division is really involved in emergency planning in the various municipalities, but when it comes to the function of Ground Search and Rescue, we felt, and the Department of Justice feels, that because the police have such a great deal of responsibility in that area, it would be more appropriately handled by the Department of Justice and the

police forces, federal and provincial police force. The rationale for moving EMO from the Department of Justice over to Municipal Affairs is that it would send a message to the various towns around the Province that the department is directly involved in emergency planning; it rationalizes the delivery of service to ensure that the level of accountability through the Department of Municipal Affairs would establish good lines of communication on emergency planning. But we still feel that it would be a more rational approach to leave it with the police force because they are involved so heavily with the other federal police forces, the coast guard, and what have you.

MR. CHAIRMAN:

The hon. the member for Naskaupi.

MR. KELLAND:

Is it a fact, Mr. Chairman, that the Newfoundland and Labrador Federation of Municipalities requested that Ground Search and Rescue also be included in the transfer of responsibility? That was my information.

MR. CHAIRMAN:

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

Not that I am aware of. I know they did request the transfer of EMO from the Department of Justice.

MR. KELLAND:

That was my understanding.

MR. DOYLE:

Well, not that I am aware of. I am aware of the fact that they did request that the responsibility for EMO move from Justice to Municipal Affairs, but not Ground

Search and Rescue.

On motion, clauses 1 through 3, carried.

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

MR. OTTENHEIMER:

Order 8. Bill No. 9.

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

On motion, clauses 1 through 3, carried.

MR. CHAIRMAN:

Shall clause 4 carry?

The hon. the member for Menihek.

MR. FENWICK:

I am waiting for clause 5, but you go so fast I wanted to give you a little lead time.

On motion, clause 4, carried.

MR. CHAIRMAN:

Shall clause 5 carry?

MR. FENWICK:

It is like hunting ducks around here, you have to sort of lead them by about ten feet in order to make sure you catch them as they are on their way through. So, I will try to do that.

Mr. Chairman, I am going to propose an amendment to this particular bill. I move, seconded by the member for St. John's East, that in clause 5 the words "and should be used by municipalities on a preferential basis" be added after the words, "The Co-operative Societies Act", so that section 5 would now read, "In this section 'bank' includes a credit union registered under the Co-operatives

Societies Act and should be used by municipalities on a preferential basis." That is my amendment, Mr. Chairman, and I will give my arguments for the amendment.

It is actually with no small degree of concern that I find -

MR. PATTERSON:

Do you have a copy?

MR. FENWICK:

Yes, I have it right on the bill here.

AN HON. MEMBER:

Do you have a copy for us?

MR. FENWICK:

No. You did not give us copies. I do not see any reason why I should give you copies.

Do you want me to repeat it. I will repeat it one more time, Mr. Chairman.

AN HON. MEMBER:

That is not necessary.

MR. FENWICK:

Not necessary? Okay.

What I should say, Mr. Chairman, is I was appalled to hear that we actually had a situation in which credit unions were not allowed to be used by municipalities. At least that is the understanding I would get by the fact that this clause has to be put in the Municipalities Act. It seems to me appalling that we would have that situation, and I am quite pleased to see that the government is wishing to amend it, albeit forced by circumstances that occurred on the Southern Coast of Labrador, where the banks packed up and left and, of course, only credit unions were in existence at

that point. But it seems to me, Mr. Chairman, that the credit union movement is an indigenous movement. It is our bank. It is the only bank owned in this Province, and, as a result of it being the only bank -

MR. OTTENHEIMER:

A point of order.

MR. CHAIRMAN:

A point of order, the hon. the President of the Council.

MR. OTTENHEIMER:

The hon. gentleman is out of order. In order for an amendment to be debated, there must be a copy tabled. The table is in charge of amendments, not the hon. Socialists, and not the rest of us.

MR. FENWICK:

To that point of order, Mr. Chairman.

MR. CHAIRMAN:

To that point of order, the hon. the member for Menihek.

MR. FENWICK:

We just had the previous amendment introduced by the hon. minister.

MR. OTTENHEIMER:

The table had a copy.

MR. FENWICK:

If he wishes, I will be very happy to table a copy when I finish my address.

MR. OTTENHEIMER:

No, Mr. Chairman. On that point of order, it is not what the hon. Socialists wish, it is what the rules require. The Chair presides over debate, either on a bill or a resolution. Points of order are different, but on a bill, or a resolution, or an amendment, the Chair must have the document

before it. So, the hon. gentleman is out of order and cannot continue unless and until there is a copy given to the Presiding Officer and the Table.

MR. CHAIRMAN:

To that point of order, the hon. the member for Menihek.

MR. FENWICK:

We will be quite happy to comply with that order. By the time I finish speaking here, I assure the Chair that he will have a copy of that amendment right in front of him, in compliance with whatever order the Government House Leader has pointed to. By the way, I do not know what order he is pointing to. Would he care to quote chapter and verse on that?

MR. TULK:

To that point of order, Mr. Chairman.

MR. CHAIRMAN:

To that point of order, the hon. the member for Fogo.

MR. TULK:

Mr. Chairman, again the Government House Leader is right. There is very good reason for this being the case, that an amendment must be given to the Table and, I would say to the hon. gentleman, must be given beforehand. There is a very good reason for that which is quite simply this: The first thing the Chairman has to do is rule as to whether the amendment is in order. That is the reason it has to be tabled. He is out of order.

MR. FENWICK:

To that point of order, Mr. Chairman.

MR. CHAIRMAN:

To that point of order, the hon.

the member for Menihek.

MR. FENWICK:

I believe you have in front of you a copy of the amendment right now.

MR. OTTENHEIMER:

Mr. Chairman, I think we should adjourn for five minutes.

MR. CHAIRMAN:

Before I make a ruling, we will adjourn for a couple of minutes.

Recess

MR. CHAIRMAN:

Order, please!

To that point of order, the amendment is in order.

The hon. the member for Menihek.

MR. FENWICK:

Mr. Chairman, the substance of the amendment is to, I think, accept the fact that we have a very strong credit union movement in this Province. I am fortunate in having one in my district; Eagle River is fortunate enough to have a large and thriving credit union movement in that district; we have them now available in a number of centers across the Province, including Corner Brook. In Clarendville, I believe, a new one has opened up; we have one in St. John's, and so on.

I think one of the things we should look at is that these institutions indeed invest virtually all their money in the Province and are an excellent source of development capital for local entrepreneurs, an excellent source of capital for building houses and for doing a large number of other things. It seems

to me, Mr. Chairman, that we should encourage, if at all possible, the credit union movement by actually using it wherever possible. I would even suggest, Mr. Chairman, that we should talk to the Minister of Finance and ask him if he can use the credit unions in this Province as much as possible to handle the affairs of the provincial government, as well.

For those who 'nay' say it, those who say that the credit union movement cannot become strong and of such a nature that it can handle these affairs, I would suggest that they look at other provinces where the credit union movement has become extremely strong.

I remember at one time in Montreal visiting the Caisse Populaire des Jardians. They had a massive shopping complex in downtown Montreal, virtually as big as Eaton's Center in Toronto. This was all built with credit union money. It was helping to develop the Province of Quebec.

So I say that one of the development initiatives that could be pursued by this government is to encourage the use of credit unions, if at all possible. This amendment would then say to the municipalities in our Province, 'If you have a credit union in your area, you should use it on a preferential basis. Only when the credit union is not available should you step down to those lesser institutions, the nationally chartered and internationally chartered banks across the country.'

So I think it is very obvious thing. I am hoping that the Minister of Rural, Agricultural

and Northern Development (Mr. R. Aylward) will be able to speak to this resolution since he is responsible for credit unions and co-operatives in this Province. I think he is very much interested in seeing them develop on a continuing basis.

I would hope that the members of the official Opposition would also be supportive of this kind of initiative so that we can have, in the long run, a source of development funds in this Province which is only responsible to this Province and can be used to do the kinds of development work that we all know is necessary if we are going to make an attack on our horrendous 20 per cent unemployment rate.

So, Mr. Chairman, I think the amendment is quite obvious. It is an amendment that I think all members in this House should support and I look forward to a creative amendment being accepted here.

MR. DOYLE:
Mr. Chairman.

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

MR. DOYLE:
Mr. Chairman, we are not about to tell the town councils in this Province where they can invest their money and where they should borrow. The only reason why we brought in this particular clause was to try and solve problems that they were having along the Labrador Coast, specifically in West St. Modeste last year where they did not have a bank and we allowed them to use a credit union. Now we are going to give councils the flexibility to do

that wherever they want. The choice is wide open. If the council wishes to use a chartered bank, which they have been using for years, then they can go ahead and use it.

We did have some concerns when I was speaking with the deputy on this particular clause a few minutes ago over the phone. He makes a very good point. If a council, for instance, wants to borrow a very, very large amount of money, they may not be able to borrow it from a credit union here in the Province and would probably have to go somewhere else outside the Province of Newfoundland in order to get that money, if we were to say you can only get it from a credit union. If there are very large amounts of money involved, the banks can handle it, where it could very well happen that the credit union might not be able to.

We will not do that, Mr. Chairman. We feel it would be an unnecessary intrusion into the freedom of choice that municipalities have. If they wish to continue to use a bank or a credit union, that is their choice.

MR. SIMMONS:
Mr. Chairman.

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

MR. SIMMONS:
Mr. Chairman, I rise just in terms of the amendment that has been proposed. First of all, each of us here could make great long-winded speeches about how strongly we feel about the positive role that credit unions continue to play in this Province, and we want to be on the record

again as being very supportive of the credit union movement which is making a considerable contribution, especially in certain rural parts of the Province.

Mr. Chairman, to the subject of the amendment itself, and I guess to the subject of municipalities generally, one of our complaints has been that already municipal legislation tends to narrowly direct the activities of municipalities. I take the view that at the municipal level we are attracting and we must continue to attract people who can contribute to the decision-making process at the municipal level. Certainly this is an area where the decision making ought to be well within their own jurisdiction. I do not see the government directing those municipalities as to where the investments ought to be made. As the minister implies, one offshoot of that may well be that you are handicapping that particular municipality from having available a full range of options.

I understand that the amendment which is embodied in section 5 of this bill aims at opening up the number of options available to municipalities. I would like to see it stay that way rather than appending this amendment at the end of that proposed amendment, which amendment, the amendment by the member for Menihek, it seems to us, has the effect of being somewhat constricting, somewhat qualifying the options available to municipalities.

In short, Mr. Chairman, given this additional option, I trust the municipalities to make the right decision. I submit they are in a better position to make a decision, knowing their own

finances. So we would be against the amendment.

One final thing that needs to be said before I sit down is, given the kind of leadership the Minister of Municipal Affairs (Mr. Doyle) has is shown in this matter, we are not sure where in practical terms the problem is going to arise for municipalities because they will have very little money to invest when the minister is finished intercepting the few grants he gives to them.

MR. FENWICK:
Mr. Chairman.

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

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

Just a few comments on the minister's remarks. He indicates that the credit union movement would not have the funds required for the borrowings that were required by the municipalities. I hesitate to point this out to the minister, but I think he is living back in an age when he thought a credit union was a small, insubstantial organization. Credit unions in our Province now have become extremely strong. The Newfoundland and Labrador Credit Union is a very large organization with tremendous assets. I would suggest to the minister it would be able to handle all of the kinds of borrowing that the municipalities themselves are doing. The minister is trying to leave the impression that the \$25 million or \$35 million a year in water and sewage and paving grants and so on could not be handled by them. This may or may not be the case. But then, as the minister already knows, that is not handled

by the local banks anyway. It is handled by the provincial government through, I believe it is called the Municipal Financing Corporation. I am not sure of the exact name.

MR. DINN:
It is handled by the banks and then it is passed over to (inaudible).

MR. FENWICK:
Or whatever. The point I am trying to make is we are not talking about this particular area, although, Mr. Chairman, I do not see anything particularly wrong with asking the credit unions if they want to handle any of those kind of loans.

I suggest to you that the minister's concept of what the credit union movement is all about is back in the stone ages or at an embryonic phase. We have a flourishing credit union movement. I think it is important as a Province that we try to do all the things we can to encourage local kinds of institutions that meet our direct responses. Credit unions, being locally owned and controlled, in an area where they have the best feeling for the development possibilities in the area, are an excellent vehicle for doing that. For the government not to encourage the municipalities to use them is to deny them a major share of the business that they could have, and would make them grow and become stronger.

So on that basis I would suggest that the government is consistent with the kind of big business attitude it has always had towards development like the idea of, instead of allowing the development associations in Bay

d'Espoir to develop the fish hatchery, the fish farming business, they bring in National Sea. It is clearly an example of the big business attitude they have. They cannot see anything small and thriving in our own Province. It is really a terrible indictment of the lack of faith in our institutions and in our own people that has been manifested by this government for so long in this Province. Mr. Chairman, I think, it is a shameful thing when a government loses its faith in its people and this is what has happened by this administration by not endorsing the resolution to give our co-ops and credit unions the first crack at this kind of business.

They have also said our credit union movement is incapable of handling these business transactions and I suggest that that is nothing short of shameful on the part of the government. It is an indictment that the credit union movement will make sure that the members opposite hear about it in short notice.

So, Mr. Chairman, I would like to urge all members present to vote in favour of this amendment to the clause.

MR. OTTENHEIMER:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the President of the Council.

MR. OTTENHEIMER:

Mr. Chairman, very briefly, the amendment in the legislation brought in by the government will permit municipalities to have their transactions not only with chartered banks, but with credit unions. It enlarges the choice.

There is no doubt about the support of co-operatives and credit unions by this government. What we are doing now is assuring that any municipality which wishes may do its banking at a credit union.

We are not going to take the step the hon. socialist gentleman suggests and that is require municipalities to do their banking at one particular institution. The hon. socialist gentleman says by not doing this the government shows lack of faith in our own people.

What faith does he have in the judgement and the acumen and the ability to carry on their duties as municipalities of the elected mayors and chairmen and of all those councils?

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

What are we going to set up, a commissariat of municipal affairs? Then you will have somebody under a socialist regime telling the municipalities, 'You must bank there and only there; You can buy those cars but only those kinds of cars; Your buildings must fit in with central planning committees, so many square feet per person; your administrative procedures and how you conduct your business must be approved by our commissar.'

When the hon. gentleman says that when the government refuses to dictate to the municipalities of this Province where they should bank that it shows a lack of faith in our own people, a lack of faith in the people of the municipalities, the residents and, indeed, the elected mayors and

chairmen and members of councils, there is the lack of faith. If you follow the suggestion of the hon. gentleman, they have to be told everything they have to do. I think it is called euphemistically democratic centralism. It is much more centralism than democratic.

MR. LONG:
Mr. Speaker.

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

MR. LONG:
Thank you, Mr. Chairman.

The hon. House Leader rises and tries to put my hon. leader's comments in an ideological context and talks about commissariats, democratic centralism and the question of a lack of faith. The comments by the member for Menihek was to suggest that the lack of support for an amendment of this kind is consistent with the pattern of this government.

Every initiative during the course of this Session and over the last number of years is to take an alliance with big business over the ordinary people and the emerging people's institutions in this Province. The proposed amendment is not to strait jacket any municipality in this Province and it is not to put any dictate on the actions of municipal councillors and mayors, the people who have so much natural clarity in what the needs of their own regions are across this Province.

We are echoing the sentiments in the House Royal Commission in calling on the government to make a clear commitment by way of encouraging the municipalities to

be a part of the growth and development of the credit union movement in this Province, to develop people's financial institutions so that ordinary people, the town councils are one institution can make links to local credit unions, to keep investment and pools of capital inside the Province and going to work for our own people.

Now, the minister may see that kind of argument in a proposed amendment as some kind of ideological disposition that is going to be imposed by commissars going and knocking on doors in municipalities to enforce it, but that is just a ridiculous misrepresentation of what we on this side are trying to bring to the debate and that is to open up some space for ordinary people in their communities to give institutional support for people where they live and where they work and to do that in a consistent fashion, as opposed to constantly sidelining up to the banks and the multinational corporations with one giveaway after another.

If at some point members from this party are in a different position - the strength continues to grow day by day - we make a commitment that we will indeed have as a priority the development of support through government agencies for people's financial institutions in this Province as a way of developing the local communities.

Thank you, Mr. Chairman.

MR. CHAIRMAN:
Shall the amendment carry?

MR. FENWICK:
Mr. Chairman, I was standing in

order to be recognized.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

Mr. Chairman, there is only one comment I wanted to make because my colleague from St. John's East (Mr. Long) has done a remarkably magnificent job in demolishing all of the sophistry of the Government House Leader, all the inaccuracies, the name calling, the ad hominem arguments which he thrives on, quite frankly, because he cannot stand to debate the real issue.

He has called us socialists again, Mr Chairman. He said, 'Supporting credit unions is Socialist.' If that is what it is, Mr. Chairman, we are guilty, because we support credit unions. We have supported them all the time. We feel they are the best way to return financial power to individuals and to communities. If that is what Socialism is, then, Mr. Chairman, we plead guilty to it. But I would suggest that if they would argue against credit unions, then they are arguing on behalf of chartered banks, which may have their headquarters in Hong Kong, in New York, in Berlin, and wherever. In my opinion, there is no reason we should add to the corporate profits of these institutions, some of the most profitable, by the way, in the land right now. There is no reason we should do that, either with our government accounts, our municipal accounts, school board accounts, or any of our other institutions that have to use them.

If they would all use credit unions and if they would use them on a consistent basis, Mr. Chairman, we would have such a

magnificent credit union movement in this Province that we would have the money to do the development that has to be done in order to create jobs so that our people do not have to leave the Province in order to look for work.

MR. CHAIRMAN:

Shall the amendment carry?

SOME HON. MEMBERS:

Nay.

MR. CHAIRMAN:

The 'nays' have it. The amendment is defeated.

On motion, clauses 5 and 6 carried.

MR. CHAIRMAN:

Shall clause 7 carry?

MR. FENWICK:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

Mr. Speaker, getting more conversant with the rules of the House all the time, I rise in my place and I move, seconded by the member for St. John's East, that we delete Clause 7. I have the amendment in writing, if the Pages wish to come and get it.

Mr. Chairman, in speaking to the amendment, which is to delete Clause 7 -

SOME HON. MEMBERS:

Hold on! Hold on!

MR. CHAIRMAN:

The Chair did not rule if it is in order yet.

MR. SIMMS:

It has to be ruled in order or out of order. Can you take your seat

while he is making his decision?

MR. LONG:

He will be taking your seat before long.

MR. CHAIRMAN:

The amendment is to delete Clause 7. The amendment is in order, if you wish to debate it.

The hon. the member for Menihek.

MR. FENWICK:

Yes, I wish to. I wish to give the reasons: Clause 7 exempts the properties of the Local School Tax Authorities from taxation, Mr. Chairman, and, quite frankly, we object to the whole concept of School Tax Authorities. Because we object to it, we see no reason whatsoever to give them any truck or traffic, any help whatsoever. We feel the School Tax Authorities, which cost us \$3.5 million a year in administrative costs, are certainly a duplication of what could be accomplished if the municipalities, themselves, wished to raise the taxes, and that may be one of the solutions to the School Tax Authorities. Quite frankly, our preferred option is to delete School Tax Authorities completely from the face of the Province and replace them by another appropriate taxation in terms of corporation taxes, royalties, and personal income taxes, all of which are much more progressive than the School Tax Authority levies, and on that basis, Mr. Chairman, we can see no reason whatsoever to give them any assistance.

This is, in a sense, a symbolic act on our part to ask for this clause to be deleted. We do not wish to give them any comfort, and by deleting the clause we feel that we would be in a position to

indicate that disapproval on virtually every chance we get.

Thank you, Mr. Chairman.

On motion, amendment defeated.

On motion, clauses 7 through 13, carried.

MR. CHAIRMAN:

Shall clause 14 carry?

MR. FENWICK:

Whoa!

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

I do not know if that is parliamentary, to say whoa, Mr. Chairman, but that, quite frankly, is the only way I can see to hold back the galloping horse.

Clause 14: I move, seconded by the member for St. John's East, that we delete clause 14.

Mr. Speaker, this is a different concern of ours.

MR. SIMMS:

The amendment has not been ruled on.

MR. FENWICK:

It is identical to the other amendment. If the other one was in order, I would suggest this one is.

MR. CHAIRMAN:

The amendment is to delete clause number 14. That amendment is in order.

The hon. the member for Menihek.

MR. FENWICK:

Mr. Chairman, I think, if you will look back on the notes at the

beginning of this section, on clause 14 you will see, 'This amendment would provide that a person must reside in a community for at least six months to be eligible to run for council. Presently the residency requirement is thirty days.'

Mr. Speaker, I am not sure why the Minister of Municipal Affairs saw fit to ask for this amendment. I quite frankly believe that if it was challenged constitutionally, it would perhaps be ruled an unconstitutional amendment in that it denies a person the right to run for office in a particular area by virtue of giving a six month lead time in order to be resident there. I suggest that, because there has been a recent case in the Yukon where individuals who had somewhat the same kind of legislation there challenged the legislation in a Yukon territorial election and it was found to be unconstitutional by courts in the Yukon. So I ask the minister, if he wishes to stand and address the amendment we proposed, whether or not our legal counsel has checked this out.

I am not saying it in terms of any overwhelming preference for it, but, if you think about it, our municipal elections, except for community councils, are held at the same time every four years and are held exactly on the same day. So we are in a position there where, if an individual does move to this community, it is not like he gets an extra vote, unless, of course, it was from a community council to municipality or a town council under this act, so that, in a sense, I do not think there is a particularly open area for abuse by keeping the thirty or thirty-one day restriction on it. I think that the thirty-one days

was a reasonable one. Given that they would have to be, obviously, citizens of the Province and citizens of Canada, I think that that would be sufficient. I do not think people want to unnecessarily restrict people from having these democratic rights.

So, it is primarily because I believe it is subject to challenge by the courts that I suggest that. Even the thirty-one day restriction may be subject to challenge. I am not suggesting that that is perfect either, but I am saying that the six month one does make for a situation where individuals who would have rights prior to that would be deprived of them. I would be interested in hearing what the minister would have to say about it, and whether or not we do actually have advice from legal counsel on it.

MR. CHAIRMAN:

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

Well, Mr. Speaker, I really do not know if the thing has been put through the Department of Justice to comment on the legality of the amendment. We felt, Mr. Chairman, for the purposes of defining residency, that there should be at least by a six month requirement there, that an individual should be residing in the community for a little bit longer than a thirty day period. Because under a thirty day period, of course, even in communities where individuals have come to do specific construction projects and work of that nature, an individual would be allowed, then, to run for municipal elections and we felt that thirty days really was not long enough for a person to be residing in a community before

running for office in that community.

It is simply for that reason that we decided to up it to a six month period. The Federation of Municipalities, of course, had some concern about it as well and had made representation to us on that. But we feel that a six month requirement before running for municipal office is more reliant than a thirty day period.

MR. CHAIRMAN:

Shall the amendment carry?

SOME HON. MEMBERS:

Nay! Nay!

MR. CHAIRMAN:

The amendment is defeated.

On motion, Clauses 14 through 21, carried.

Motion, that the Committee report having passed Bill No. 9 without amendment, carried.

MR. OTTENHEIMER:

Order 9. Bill No. 28.

A bill, "An Act Respecting An Increase In Pensions". (Bill No. 28).

MR. CHAIRMAN:

Shall Clause 1 carry?

MR. FENWICK:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

Just a couple of very short comments. I do not want to hold up this bill, because obviously we want to see it go through. I would like to have amended the numbers to give them a higher

percentage but I think, given our experiences over the last hour or so, that that may not be successful. I would like to say on this, it is quite interesting that I have some correspondence from an individual who is a pensioner under this legislation, who is receiving a pension of \$8,000 a year, and who, under this, will receive \$240 additional income per year. So, after thirty-five years with the provincial government, \$240 is what this pensioner will receive. Since he is between the ages of sixty and sixty-five, he will also receive a reduction of \$240 on the other end. But, Mr. Chairman, the \$240 is a reduction per month, not per year. In effect, what has happened is this individual, from this particular purse, has received eleven times \$240 less out of the shenanigans being played on him by the Minister of Finance. I would like people to know that for a large number of people who are in early retirement, this is not a raise whatsoever, this is just a tiny bit up from the big jump down they have already taken. I think it is important that we, as a House, realize that we have allowed this government to do some nasty things to their pensioners.

MR. J. CARTER:

Mr. Chairman.

MR. CHAIRMAN:

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

MR. W. CARTER:

Mr. Chairman, it is misleading this House, deliberately or otherwise, to look at Bill 28 in isolation from Bill 40. Bill 40 changes the way that pensions are received. My understanding, and any member of this House can have

the same understanding by getting in touch with the Deputy Minister of Finance in charge of pensions and asking him to give detail about it, is the situation is that under the present legislation, until it is corrected by both Bill 28 and Bill 40, Bill 40 primarily, a person who becomes eligible for Canada Pension, that is before he is sixty-five and is eligible for some reduced Canada Pension, even though he is not receiving it, even though he opts not to take it, his pension will be reduced accordingly. Now, this is going to be addressed and redressed by this government, specifically in Bill 40. Therefore, it is wrong to suggest that it is this government's intention, stated or hidden, to take away any pension benefits from pensioners. It is wrong. It is misleading. It is cruel. It is unnecessary, and I think it is unusual. It is everything that is bad to suggest that this government is reducing any pensioner's pension. It is mistaken. It is not in the spirit of fair play. It is just finding a horse that you can ride. It is a technique first used, I think, by Adolph Hitler: He said, 'If you tell a big enough lie often enough and big enough, eventually some people will believe it.' I think it is just so wrong! I call upon other responsible members from both sides to elaborate and confirm what I am saying. It is fair enough to say, Oh, the pension is not big enough. We wish they were more. It is fair enough to say that people should be able to take earlier retirement. It is fair enough to say that we should have a more generous pension arrangement. I would be all for that if we could afford it. But to suggest that pensions are being reduced when, in fact, they are being increased,

is just a lie. I have reason to believe that the hon. gentleman knows better. He is not a fool.

MR. FENWICK:

A point of order, Mr. Chairman.

MR. CHAIRMAN:

I was really going to sit down and allow the member to break about sixteen of the rules of the House, but he has used the words 'deliberately misled', and he has used the word 'lie' in his last sentence. Of course, the member, since he is a veteran here, knows full well that these are unparliamentary comments and he should not be making them.

MR. SIMMS:

To that point of order, Mr. Chairman.

MR. CHAIRMAN:

To that point of order, the hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

I was just going to say the hon. member is too sensitive today, probably. The hon. member did not refer to the hon. member as a liar. He talks about a statement being incorrect, and the statement itself is, in fact, a lie. I do not think the hon. member meant to offend.

MR. J. CARTER:

Mr. Chairman, I wish to clarify that point.

MR. CHAIRMAN:

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

MR. J. CARTER:

I think the tapes will bear me out. I said to say such and such a thing is a lie, and so it is. To say the pensions are being

reduced is a lie, and I think I stand by that. I do not think there is anything unparliamentary in that. If anyone should come into this Chamber and say that pensions are being reduced, I would say it is a lie.

MR. CHAIRMAN:

To that point of order, there is no point of order.

The hon. member for St. John's North.

MR. OTTENHEIMER:

A personal attribution (inaudible).

MR. J. CARTER:

Yes. Now, I suggest that the hon. gentleman knows better and that he was given some documentation by the Minister of Finance explaining this. Charitably, I suppose, you could say it is a fairly complicated piece of legislation. All pension arrangements are necessarily complicated, therefore, a misunderstanding of the implications of a pension change would ordinarily be excusable. But the Minister of Finance went to great lengths to lay out in very clear detail what he was intending to do, and he assures me that he sent a letter to the Leader of the New Democratic Party and, therefore, the member for Menihek should not be under any misunderstanding as to the nature of the pension changes that are contemplated. That is all I have to say.

MR. CHAIRMAN:

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

MR. LONG:

Mr. Chairman, I, also, was not intending to intervene in this debate, we were ready to let the bill move forward so that

pensioners can get their increase, but the hon. member for St. John's North has invited other members to come forward and elaborate on what is happening with this situation.

In his remarks, in which he talks about Hitler, adding immeasurably to the level of decorum in the House, and goes on and on talking about lies when people say that their pensions are being decreased, what the member is saying is that people who have made representation to both the member for Menihek and to myself, who have come forward and said, 'Can you help me understand why I am losing my money in the provincial pension programme since the CPP changes come in?' are lying.

As I said earlier, when we presented the petition at the beginning of the day, there is a disagreement as to reality. If the member for St. John's North is going to continue to play the role that he has been set up for by his Finance Minister, to respond to this issue every time it is brought in, then at least he could try and speak to the substance of the issue and try to persuade people on the argument that the government has a legitimate purpose in bringing this in. But it is clear that every time this issue is brought up in the House the case is getting stronger and stronger, and it is sore point. Members on the government side are left to the depths that they are falling to, especially as exhibited by the member for St. John's North. We certainly will not put up with it and the people of the Province will not put up with it.

On motion, clause 1 through 4 carried.

Motion, that the Committee report having passed Bill No. 28 without amendment, carried.

MR. OTTENHEIMER:

Order 10. Bill No. 32.

A bill, "An Act To Ratify, Confirm And Adopt An Agreement Between The Government Of Canada And The Government Of The Province Respecting Reciprocal Taxation Of These Governments And Their Agencies." (Bill No. 32)

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

MR. OTTENHEIMER:

Order 11. Bill 25.

MR. CHAIRMAN:

Shall Clause 1 carry?

MR. LUSH:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Chairman, in view of the stated intent of this particular Bill, stated by the Minister of Finance when he introduced the Bill on Thursday - the minister, in introducing the Bill, said that the purpose of this Bill was to increase the borrowing facility, the borrowing power of Kruger to enable them to carry out modernization that was necessary - on second reading we voted against the bill because we thought it went far beyond what was necessary, granting the government extensive powers, vast powers that were hardly necessary to increase the borrowing powers of Kruger to carry out their modernization plans at Corner Brook.

We stated at that time that we were all in favour of the modernization of the Kruger facility at Corner Brook and that we would do everything in our power to ensure that the company's borrowing power was extended to allow it to be able to raise the monies necessary to carry out and complete the full modernization of that operation. So let nobody mistake what our position was on that particular Bill.

Mr. Chairman, I want to move an amendment which, in our view, makes this a much better amendment than it is. It clarifies the situation, it makes it precise and allows the government and allows Kruger to do precisely what the intent of the Bill is. The amendment, Mr. Chairman: I move that Section 1 be amended by deleting Subsection (2) and (3) of the proposed new section 8 (1) and deleting the period at the end of the proposed subsection 1 and adding thereto the following: I will read the amendment as it should read with the suggested amendment: Clause 1. 'The Government-Kruger Agreement is amended by adding immediately after section 8 the following: Subject to the approval of the Lieutenant-Governor in Council, the hon. the Minister of Finance on behalf of Her Majesty the Queen in right of the Province is hereby authorized to enter into, execute and deliver from time to time agreements amending the agreements referred to in this Act for the purpose of authorizing Corner Brook Pulp and Paper Limited to borrow such additional amounts as may be required to complete modernization of the company's mill facility at Corner Brook.' And, additional parts to that which I have included as I read, and deleting from the proposed

subsection (1) the words, 'and', 'subsection', and then 3, 'and'. So, Mr. Chairman, I make that motion, that I want to have this Bill amended as I have distributed to the table and as I have read into the record.

Mr. Chairman, the purpose of this amendment is to make very precise, to make very clear what was intended by the minister because, one, looking at the bill as submitted by the minister, nobody has any idea what the bill is supposed to do other than to give the government this extensive and this extraordinary power of changing any of the Kruger agreements without any reference to this House. What this does is to allow the government to do what the minister said was the intent of the bill, namely, to allow Kruger the borrowing power which it does not now have to carry out its modernization of the facility at Corner Brook.

Mr. Chairman, let it be clear. We on this side of the House want that to happen but, we want to make sure that we do not give the government any extra or extensive powers that will downgrade this House of Assembly and not give them any additional powers that are not needed. This amendment makes it precise and clear. At any time, Mr. Chairman, the borrowing power of Kruger can be increased with this particular amendment.

So, Mr. Chairman, I hope that the hon. members will read the bill and see that it is a much better bill in the parliamentary sense than what was originally put before this House. It is precise, it is clear and it gives the mill at Corner Brook the borrowing power to do what is necessary.

That is what this House should be about, Mr. Speaker, passing sensible legislation and giving good amendments so that we do not put ourselves in a position in the future where it turns out to be a bad piece of legislation. This sharpens up the legislation, it re-defines the legislation and no misunderstanding, Mr. Chairman, it is dealt with in this House giving the power to the government and to Kruger to carry out the borrowing that is necessary.

I hope hon. members will read it and read it carefully. I trust that they will vote for this amendment, which was the kind of amendment that the minister should have brought to the House in the first place.

SOME HON. MEMBERS:

Hear, hear!

MR. FENWICK:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

On behalf of our caucus in the House, I would like to endorse the amendment which I think is an appropriate amendment to be made at this time. It directly addresses the concerns raised by the Minister of Forest Resources and Lands (Mr. Simms), who correctly said that we do not want to interfere with the modernization of the mill over there. At the same time, it protects the powers of this House of Assembly which clearly has enacted the legislation and clearly has no responsibility or no right to delegate its responsibility to the Cabinet to allow it to amend the legislation whenever it wants.

The one point I would like to make that I think the member did not mention is that when we originally passed the legislation establishing the Kruger operation in Corner Brook. At that time we had Bill No. 37 passed through and it was perceived by the government to be necessary in order to encourage this company to move here. This bill, of course, trampled on the rights of the workers of this Province and stole from my district probably \$750,000 to \$900,000 from individuals in the Local working at Wabush Mines.

So, Mr. Chairman, I see that this government has not really done anything to deserve any degree of trust. The member for Bonavista North (Mr. Lush) clearly suggests we would give them the authority they ask for and we will not give them excess authority. I think that the government should accept what is being offered as a reasonable amendment to what they have asked for.

MR. SIMMS:
Mr. Chairman.

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

MR. SIMMS:
Mr. Chairman, I want to try to clearly, once again, outline government's position on this particular bill. Perhaps hon. members have not fully grasped the kinds of situations that could occur. I am doing this on behalf of my colleague, by the way, the Minister of Finance (Dr. Collins), who is away.

I honestly think members are making a mountain out of a molehill when they talk about us

having power to make all kinds of amendments and make any amendment at any time. I think those are the kinds of words I have heard used opposite, and, of course, that is not accurate. Very clearly some very significant items are exempted under clause 3, items that we could not, in fact, amend as a Cabinet and that would have to come to the House. But they would be the more significant types of amendments that we would expect the House to want to deal with and have to deal with, such as the power costs or changing the amount of involvement that the government might have with respect to the Kruger-Government agreement.

What members have lost track of is there could be some other things, you could almost call them minor amendments possibly, in the sense that this one now, for example, to allow Kruger the opportunity to increase their borrowing by \$30 million is really a minor thing because it is between the company and the banks. Unfortunately, under the original Government-Kruger agreement, there was not provision to allow for that kind of an amendment to be made, as it is in many other agreements by the way. It is almost a normal business transaction to have that kind of a clause in there, but it was never in the original agreement.

So what this piece of legislation tries to do, this particular bill, is to give the company, at this point in time, the opportunity to borrow the additional \$30 million that it needs to proceed and to get on with that modernization. That is our only concern, by the way, our only concern.

If there was another example, for

example, where the company wanted to change the security arrangements that it has with the bank in its agreement with the bank, then right now under the agreement and the legislation, that would have to come before the House of Assembly. But that is a normal transaction between the company and the banks. So if they wanted to amend their loan agreement between the company and the bank, it would have to come before the House of Assembly to amend. If the House of Assembly is not sitting, that could take weeks or whatever. It might take months. It would be delaying the inevitable because, I gather, everybody now supports the modernization programme, but that type of thing would delay the inevitable and delay progress.

So that is why the amendment reads the way it does. Again, I want to point out clearly that any amendments, and there may be none, but if the company wanted to change its loan agreement arrangements with the bank, Cabinet would have the authority to allow that to proceed without unduly delaying the progress of the modernization programme. Now that is the intent of this particular bill.

If it has to deal with something fairly significant and important, such as changing the power costs or changing the investment that the Province has or changing the put agreement or anything to that nature, then we have clearly spelled out our intent by putting in an additional clause in the bill to assure hon. members that that type of thing, obviously, we would want to bring that before the House, if that ever came up. We do not anticipate that it would.

It is a question of being able to allow the modernization to proceed on a timely basis without any kind of undue delay. I do not know if I can make it any clearer than that. That is the intent of the bill, and that is the government's position on the bill. We do not think that it is necessary to make a major change or a significant change, such as what the hon. the member for Bonavista North (Mr. Lush) proposed in his amendment.

MR. LUSH:
Mr. Chairman.

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

MR. LUSH:
Mr. Chairman, the Minister of Forest, Resources and Lands (Mr. Simms) certainly has not convinced me the bill he has before the House is necessary.

We have said precisely in our amendment what this bill should do. The minister says his only concern at this particular point in time was to enable Kruger to have greater borrowing power. This is what the amendment does, but it is not what his amendment does. It is not what the government amendment does. It entitles the government to change any of the agreements.

Yet, why do hon. members insist on carrying on with this kind of a bill, giving the government such vast power when all they need is what the amendment stated, namely, to increase the borrowing power of the facility at Corner Brook? He talks about timely. This amendment does it. "For the purpose of authorizing Corner Brook Pulp and Paper Limited to borrow such additional amounts,"

no figure on it, not even \$30 million, "to borrow such additional amounts as may be required to complete modernization of the company's mill facilities at Corner Brook." Now, what makes that untimely? Everything that the minister said about the bill is in this amendment and it does it more precisely without, Mr. Chairman, undermining the authority of this House. This is what it does.

I do not think the minister understands the nature of the legislation that his government have introduced here. He does not need the kind of extensive powers that are given under this legislation to effect and to allow Kruger to carry out the modernization. I do not know why the member is obstinate about it when this amendment does perfectly the job and does it much better than the original bill we are looking at.

Will the minister explain what complicates the matter? He has not done that. Will the minister explain what will cause the delay now in advancing to Kruger the \$30 million they wanted if we pass this legislation today? What will delay it? If they want \$30 million again next year, what will delay it? It is here in this particular amendment without giving the vast and extensive powers that the bill that he now has before the House is asking for.

The minister, in the name and for the sake of democracy and for the sake of this House, Mr. Chairman, should look at the amendment and certainly agree that this is what his government should have brought in in the first place. It seems to me they did not think very much about it, Mr. Chairman. It seems

to me they did not understand the situation.

Instead of bringing in this specific legislation to make it possible for Kruger to be able to borrow the monies that they want, they just put together a piece of legislation, without any thought, which entitles the government and allows the government to change at all, with the exceptions, naturally, of the three things mentioned in the bill. We do not even need to mention that in the amendment that we have. The amendment is clear, precise, and concise. It takes away none of the powers of this House, but allows Kruger to carry out their modernization programme without any restrictions, Mr. Chairman, and in a very effective manner.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the Leader of the Opposition.

MR. SIMMONS:

Just before he makes a response, could I just suggest that perhaps the minister, particularly in view of the absence of the Minister of Finance (Dr. Collins), the sponsoring minister, and in view of the fact that this amendment was just unloaded on you without some advanced notice, and for that, we apologize. We probably should have gotten the amendment to you before it came up in Committee.

SOME HON. MEMBERS:

Oh, oh!

MR. CHAIRMAN:

Order, please!

MR. SIMMONS:

Mr. Chairman, I was going to suggest that it is not our desire in this particular one to score any particularly partisan points but rather to offer to the Committee a suggestion that would improve, in our view, the legislation, would achieve what the minister stated was the purpose or the objective of the amendment and, at the same time, address the concerns that some in this House have raised about the ramifications of the amendment proposed unless we constricted it somewhat.

So my point in rising, Mr. Chairman, was to appeal to the Minister of Forest, Resources and Lands and the Government House Leader to, rather than give the instinctive reaction of opposing because it was proposed by the Opposition, the government might want to just hold this in abeyance and let the Minister of Finance, whose bill it is, have a look at it.

I submit to the Committee that the amendment is worth having a dispassionate look at without doing the instinctive thing and just voting against it because it came from this particular side. Perhaps the Government House Leader, in rising, will consider whether he might want to hold this one over and let the Minister of Finance have a look at it. Then, having considered it, if it is the wish of government to vote against it, then we will respect that. Could he not at least have a look at it and see if there is not some wisdom behind the proposal that the gentleman from Bonavista North has given to him?

MR. OTTENHEIMER:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the President of the Council.

MR. OTTENHEIMER:

Mr. Chairman, I appreciate the words put forward by the hon. Leader of the Opposition, but I do say, on behalf of government, although it is only now that we had it, although I think there were some reports out of Corner Brook that the Leader of the Liberal Party was going to propose, or not going to propose until he got into the House, was going to have one of his representatives propose an amendment, it did not come, obviously, totally as a surprise.

Basically, as far as I can see, there are two things I would like to reply to. One, there is expressed concern about the authority of the House. One will see that in subsection 2, which the Opposition's amendment would delete, there is a requirement to lay before the Assembly within fifteen days, if it is in session, and if not then within fifteen days after the commencement of the next session, any agreement pursuant to this. Also, of course, in subsection 3, which the amendment would delete, it is very, very clear that an agreement referred to in subsection 1 would not apply, may not apply, cannot, ultra vires, illegal, contrary to the act, specifically, to the purchase price to be paid for the price of power or for the amount of the loan.

So the government legislation is itself quite specific. It excludes any alteration with respect to purchase price, price

for power, or amount of the loan. With respect of the authority of the House, all hon. members are aware that if the Lieutenant-Governor in Council enters into an agreement, the government only continues in power as long as it has the confidence of the House or there is a writ of election. That is the ultimate power of the House.

The ultimate power of every Legislature is the majority vote of the people therein. Of course, the ultimate authority of that is the electorate. In the final analysis, within the parliamentary context, it is the vote of the people in the Legislature. In the public context, it is the people of the Province who vote.

Certainly we do not see anything unusual in terms of exercise of government prerogative there. Government is always responsible to the Legislature and that has not changed at all. As I say, the proposed legislation by the government is quite specific. As I have pointed out, there are those three essential areas where no agreement pursuant to this legislation would be permitted.

Another reason why we cannot support the amendment is, of course, the government's proposed legislation is very specific in identifying areas which cannot be altered. So it is very specific. The proposed amendment from the Opposition loses that specificity, so to speak, but adds in a restriction which may not be in the best interest of this enterprise and that is, "For the purpose of authorizing Corner Brook Pulp and Paper Limited to borrow." It may not be. There can be financial arrangements such as, for example, if there were

required or debated or negotiated a change of security arrangements in Kruger's own agreement with a bank or finance institution. These are aspects which are not borrowing.

So the government maintains that we cannot support the amendment and will, of course, support the original legislation.

MR. LUSH:
Mr. Chairman.

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

MR. LUSH:
Just another few words. I think it is just a matter of the government being obstinate because this is an amendment that is coming from this side, an amendment that is far superior, Mr. Chairman, to the legislation which the government have put before this House. The amendment placed by the Opposition today is an amendment that preserves the powers of this House of Assembly, Mr. Chairman.

I am afraid that the minister does not know what he is getting into by asking for these extensive powers. Now, I have listened very attentively to what the minister is saying, why the hon. member feels that the legislation asked for by government is required. Repeatedly all that is mentioned is the borrowing power of Kruger.

If other things come up, then we do the same thing. We do not make legislation here in this House so that we can avoid the House of Assembly. We do not go around looking for what requirements there might be in the future with Hydro and with other things to

make sure that the government can look after all contingencies and everything that is likely to happen in the future. If something happens that stymies and restricts the development of the facility at Corner Brook, then we bring in other amending legislation.

We cannot in this House, Mr. Chairman, forego the responsibility that we owe to the people of this Province for maintaining parliamentary procedure and for maintaining democracy by the vague arguments given by both hon. gentlemen. I state again that the intent of this legislation was to increase the borrowing power of Kruger. Nowhere in the bill is it mentioned.

Mr. Chairman, the hon. the Government House Leader said the bill is very specific. I defy anybody on picking up this legislation and reading it and getting from the legislation what is required from it. That is not very specific in my view. I am doubtful that any one person who was not aware of what is going on can pick up this legislation and know what the intent of the legislation was. It just gives the government the power, the authority to change everything in the Kruger agreement. That is what the legislation does. With respect to the House of Assembly, it is brought back to the House after the fact, after the minister has executed whatever agreements there are.

Now, Mr. Chairman, I submit that this was the kind of specific legislation that the government should have brought in in the first place. It allows Kruger to do what it wants to do, it gives

them sufficient borrowing power without any further reference to this House. Without any delays, without any procrastination, they can borrow whatever monies they want and we have maintained, Mr. Chairman, the sanctity of this House, we have maintained and preserved parliamentary procedure, we have maintained the jurisdiction of this law-making body by allowing this amendment through today as opposed to what government legislation is proposing in the first place.

SOME HON. MEMBERS:
Hear, hear!

MR. CHAIRMAN:
Shall the amendment carry?

SOME HON. MEMBERS:
Aye.

SOME HON. MEMBERS:
Nay.

MR. CHAIRMAN:
The amendment is defeated.

MR. TULK:
Division, Mr. Chairman.

MR. SPEAKER:
Call in the members.

Division

MR. CHAIRMAN:
All those in favour of the amendment please stand:

The hon. the Leader of the Opposition (Mr. Simmons), Mr. Hiscock, Mr. Flight, Mr. Tulk, Mr. Callan, Mr. Lush, Mr. W. Carter, Mr. Gilbert, Mr. Aylward, Mr. Efford, Mr. Furey, Mr. Kelland, Mr. Decker, Mr. Fenwick, Mr. Long.

MR. CHAIRMAN:

All those against the amendment please stand:

The hon. the Minister of Transportation (Mr. Dawe), the hon. the Minister of Health (Dr. Twomey), the hon. the Minister of Mines (Mr. Dinn), the hon. the Minister of Consumer Affairs and Communications (Mr. Russell), the hon. the President of the Council and Minister of Energy (Mr. Ottenheimer), the hon. the Minister of Forest Resources and Lands (Mr. Simms), the hon. the President of Treasury Board (Mr. Windsor), the hon. the Minister of Public Works and Services (Mr. Young), the hon. the Minister of Education (Ms. Hearn), the hon. the Minister of the Environment (Mr. Butt), the hon. the Minister of Municipal Affairs (Mr. Doyle), the hon. the Minister of Labour (Mr. Blanchard), the hon. the Minister of Rural, Agricultural and Northern Development (Mr. R. Aylward), the hon. the Minister of Social Services (Mr. Brett), the hon. the Minister of Development and Tourism (Mr. Barrett), Mr. Baird, Mr. Patterson, Mr. Reid, Mr. J. Carter, Mr. Peach, Mr. Parsons, Mr. Morgan, Mr. Warren, Mr. Mitchell, Mr. Woodford.

MR. CHAIRMAN:

Order, please!

The amendment is defeated, fifteen for, twenty-five against.

On motion, clause 1, carried.

Motion, that the Committee report having passed Bill No. 25 without amendment, carried.

MR. OTTENHEIMER:

Order 12. Bill 13.

MR. FENWICK:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

We are on clause 1, I assume, are we, Mr. Chairman?

MR. CHAIRMAN:

Clause 1. the hon. the member for Menihek.

MR. FENWICK:

Mr. Chairman, since I did not get the opportunity to speak on it in second reading, and since we have established the precedent that speaking on clause 1 allows a little bit of wide-ranging debate, I sort of want to introduce some of my comments at this time.

One of the comments I would like to introduce at the beginning is that I agree with this legislation. I think it is a good piece of legislation overall in concept. I think that it is long overdue. As an individual who worked in the only community college in Newfoundland and Labrador for approximately sixteen or seventeen years, of which the last ten or so were as a community college, I can say that it is a better model to follow than the one before.

The few comments that I have in terms of criticism of the legislation and the proposed amendment that I will have for Clause 10 later on are not meant to indicate that I disagree with the legislation itself, because I think it is a good piece of legislation and it brings us in the right direction. I think, although it is a bit expensive and may be difficult to finance, it is overall a good piece of legislation.

Specific comments: As the minister for Career Development and Advanced Studies (Mr. Power) has said repeatedly, it is government's policy to ensure that all Boards of Directors have 50 per cent of their members as women. It is our analysis of the advisory committees that have been established by the minister that he also made it in this particular case.

In looking at the announced list - and maybe the minister could probably speak to it - I believe there were fifty-three board members announced for the five different community colleges. Of course, they are advisory committee until we get this legislation enacted. Of the fifty-three, twenty-five of them were women which is certainly a much larger proportion than we had before. I am hoping that the minister, when he has the final boards established, that at least the board members who are under the control of the provincial government are established on a basis where at least 50 per cent of them would be women.

The one criticism I would have of that is of the five community colleges established none of the chairpersons or none of the chairpersons of the Board of Directors are women. I understand from the minister that there was a conscious decision made to have the superintendents of various school boards appointed as chairmen of these boards, and, on that basis, perhaps there were no chairpersons who were women in order to appoint. But I think that also tells us a lot about our educational system in this Province when, given the large number of school boards that we have in this Province, that we

would not find a woman who was the superintendent of a school board in order to appoint to it.

I would hope that when the minister makes his final appointments to the Board of Directors, goes from the advisory committees to that, that he will carry through with his excellent initiatives in this particular area and ensures that at least a couple of the boards do have a woman as chairperson of them.

A few other comments on it: We had a look at the legislation and compared it to the legislation enacted to set up the Bay St. George community college and find that it is almost identical. So, on that basis, it is not unproven legislation, so to speak. It has been in operation for a decade or more. By and large, from my experiences with that college, it has worked reasonably well.

There is one thing missing from it, and I would ask the minister whether it was an oversight or not. In setting up the Board of Directors - I will get to it specifically afterward when we get to that particular clause - I notice that the instructor who was appointed to the Board of Directors of the Bay St. George community college or that practice of having an instructor on the board, was not continued in this particular piece of legislation. Assuming that that was just an oversight on the part of the minister, we have prepared a small amendment for the particular clause so that we can rectify that. If the minister indicates it is an error, he is even spared the effort of having to redraft it.

The only other general comment I would like to make on it is that

the implementation of this particular system of community colleges has been woefully inadequate in the sense that we would have hoped that the timetable established by the minister in his release of August 24, 1986, would have been followed with a little bit more diligence and that we would be in the position to have this legislation through several months ago. We would have the boards in place, we would have them operating and we would have a number of new programmes entrain, specifically, more of the first year university programmes.

Of course, I do not have to mention to any of the members of the House here the shameful way in which this government introduced the first year university programmes by bowing to political pressure. Instead of putting them in the areas in which they were most needed, they put two operations within approximately thirty-five to forty miles of each other so that, in this situation, people in the Burin Peninsula, people in the Northern Peninsula, in the Port aux Basque area, in Happy Valley, Goose Bay and in Labrador West, all of which desperately want to see these first year university programmes in place, have to look on while Central Newfoundland ended up with two as the individuals in these areas had to still incur the heavy costs of sending their children to Memorial University or the West Coast.

Obviously, Mr. Chairman, we do not object to a programme in either Grand Falls or in Lewisporte and we have said that on a consistent basis. We have said, however, if one goes into Grand Falls, the one in Lewisporte should await needs being satisfied in other areas of

the Province. We feel that this is only logical and only rational. I think, the members in the semi-socialist party over here also agree with us, that this is an important priority. You do not put two operations in the same location when you have other areas of the Province clamouring for it.

So, Mr. Chairman, I, again, reiterate that this is very much awaited legislation. We endorse it in general. We feel that the implementation has been somewhat weak this last year. We feel that more could be done in order to recognize women on the boards of directors and we also will be moving an amendment later on to have an instructor returned to the board of directors of these institutions, as was the case in the Bay St. George Community College and, in my opinion, was just an oversight on the part of the minister.

SOME HON. MEMBERS:

Hear, hear!

On motion, clauses 1 through 5 carried.

MR. FENWICK:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

What Clause are we on now?

MR. CHAIRMAN:

Clause 6.

MR. FENWICK:

I actually should mention something about clause 6 because, quite frankly, it is one of the problems we have with this bill. Clause 6 says, "A president is ex

officio a member of all committees constituted by a board; and shall perform the duties and may exercise the powers that may be assigned to a president by a board."

One of things that has changed between the Bay St. George legislation and this one is that the president or the chief executive officer has lost his vote on the board of directors. It is one of the things I would ask the minister about, if he is in a position to explain. Is this a conscious decision or was this just a thing that the computer dropped when it was redrafting the legislation?

MR. LONG:

He is not going to speak.

On motion, clauses 6 through 9 carried.

Shall clause 10 carry?

MR. FENWICK:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Menihek.

MR. FENWICK:

Mr. Chairman, this one I would like to move the amendment to.

MR. CHAIRMAN:

Clause 10.

MR. FENWICK:

It is moved by the member for Menihek (Mr. Fenwick), seconded by the member for St. John's East (Mr. Long), in Clause 10, Subsection (3) delete the word 'one' and substitute the word 'two.' In other words, "A board shall include two." Delete the word 'member' and substitute the word 'members.' It should read,

"The board shall include two members appointed by the minister who shall, and after the word 'and,' in the subclause 3 (a) - now, in other words, if you look at Clause 3 (a), "be a full-time student of the college nominated by the executive body of the student association of that college, and, and at that point insert the words, 'an instructor nominated by the Instructors Association for that college, and'. Those words will be added at that point.

So, Mr. Chairman, what would happen is that the entire clause would read something like this: No. 3, 'A board shall include two members appointed by the minister who shall (a) be a full-time student of a college nominated by the executive body of the student association of that college, and an instructor nominated by the instructors association of that college, and hold office for a period of one year only.'

Mr. Chairman, that is the proposed amendment.

MR. LONG:

Well moved.

MR. FENWICK:

Is it in order, Mr. Chairman? If you can read my handwriting, is it in order? I put it forward for a number of reasons. The Bay St. George Community College when it was established in 1975 had an instructor on the Board of Directors of the college, an instructor that was nominated by the trade union that represented the instructors in the area. It is in order, is it?

MR. CHAIRMAN:

The amendment is in order.

MR. FENWICK:

It was a method so that concerns that arose by the instructors on a day to day basis that were legitimately the business of the Board of Directors could be addressed by the Board of Directors with a representative of the instructors particular group present at the board meeting itself. It created a feeling that there was excellent lines of communication between the Board of Directors and the instructors involved and it, I think to a large extent, helped the instructors to understand the function of the Board of Directors and what it was trying to accomplish.

So, Mr. Chairman, it was quite surprising when this particular legislation was tabled by the minister in First Reading that that particular was not in it. I was really curious as to why it was not included given that it had, in my opinion, at least as an instructor who was at the Bay St. George Community College, worked quite well, and gave a feeling of collegiately to the institution that leaving that particular provision out deleted.

I would suggest to the minister that it is not meant to be any kind of a dilatorius or wasteful amendment. It is meant to strengthen the whole character of the particular legislation itself. It has been a tested procedure that has been used before. I would suggest to the minister that on that basis that it would be appropriate that he speak to that concern and hopefully give me an argument why it should not be there or, in lieu of that, maybe support the amendment itself.

MR. SIMMONS:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the Leader of the Opposition.

MR. SIMMONS:

First of all, as to the substance of the amendment, we would have no difficulty with that. It carries forward the practice which is now in vogue at the Bay St. George Community College.

I want to get the attention of the Government House Leader (Mr. Ottenheimer) on my other point because I am a little disappointed, without being critical of the Chair, that the amendment, as proposed by the gentleman for Menihek (Mr. Fenwick), was ruled to be in order, because it really clumsifies, if I may use the term, it clumsifies 3 (a) in that its most ludicrous interpretation would imply that the guy had to be at one time a student and an instructor.

If the member for Menihek is going to get into amendments, I suggest he get some advice from those who know, and probably the appropriate place to incorporate his idea is in sub-section 4, rather than 3 at all, or a rewrite of 3. I submit to the Committee, if you allow the amendment to stand, it is going to make for some pretty wild interpretation as to what credentials you are going to need to be that particular member.

So I would suggest, if the Committee has any disposition to accept the amendment, it might want to look at it in terms of Clause 4 which now reads 'A board shall also include not less than four or more than ten other

members appointed by the Lieutenant-Governor in Council of whom one shall be a representative of the Department of Career Development and Advanced Studies nominated by the minister.' You could append there, 'of whom one shall be an instructor.'

Though it is not my direct concern, I make that point. In terms of substance, we support the idea.

MR. POWER:
Mr. Chairman.

MR. CHAIRMAN
The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:
Mr. Chairman, I wish to clarify a couple of points brought up by particularly the member for Menihek (Mr. Fenwick). I will mention the amendment in just a moment.

As it relates to women's representation on the Board, I accept his kudos for the government point of view. We did make the boards really fifty/fifty as much as possible. The reason it got a little tiny bit distorted where it might have been twenty-seven, twenty-five was that we did want to put on the Eastern Community College a position rather than a person, which was the Superintendent of the Terra Nova National Park. We wanted to have that person there.

In the case of the Labrador Community College, we wanted to have the Commanding Officer of the air base in Goose Bay. So we put those positions on the boards. If you remove the positions and look at just the individuals that we appointed, we did have enough. I

want to say that one of the persons who we offered representation on the board to in Labrador who originally accepted and was quite anxious to serve and has since had to resign, was a man. I think we have reappointed a woman there. So the representation is fifty/fifty, as much as it was humanly possible to have done.

I just want to make one other comment before I go on to the amendment. The reason why we are having the first year university courses in Grand Falls and Lewisporte, as explained in this House, is quite simple and logical. It simply allows us, by using government monies efficiently, to access two groups of students rather than try and do them in isolation. If you put that same group of instructors at the same cost in Labrador, they would only be able to access one group of students. We have found a way to access two groups of students. We took the two campuses which were most geographically in proximity to each other. That is why we did it in Lewisporte and Grand Falls.

I suspect that the past NDP member for Grand Falls would not be the least bit happy with the Leader of the NDP Party who says that it was not necessary or needed in Grand Falls when, in effect -

AN HON. MEMBER:
(Inaudible) NDP member for Grand Falls.

MR. POWER:
Well, the candidate rather than member. My terminology was not exact. The candidate may never become a member if the Leader of the NDP Party keeps saying that it was not needed in Grand Falls when

I know the Minister of Forestry was instrumental in getting that badly needed service in Grand Falls, and it will continue to be that way.

Mr. Chairman, we will be seeing if we can clarify the English here, whether it should be put in as an amendment to Clause 10 (3) or (4). But the reason why we have not included an instructor on the boards was deliberate. The reason we have included the presidents as ex officio is deliberate. We do not wish to have employees of the Community College boards sitting on the board itself so that, on one hand they are on the board as the employer and, on the other hand, they are an employee of the board in their teaching capacities within the schools. So we deliberately decided in this new act to remove that, if it was an anomaly in the old act. It says that basically we are going to have a board of volunteers who will run the colleges and we will have employees of the colleges who will teach in the schools themselves. We are not going to have both there.

So, Mr. Chairman, with that, I certainly will not be supporting the amendment to have an instructor become a member of the board, which will be the employer group.

MR. FENWICK:
Mr. Chairman.

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

MR. FENWICK:
Mr. Speaker, speaking on behalf of the NDP member for Grand Falls, -

MR. POWER:
There is no such thing and there

never will be such a thing.

MR. FENWICK:
I would suggest that the Minister of Career Development and Advanced Studies is prophetic. He speaks in tongues, and he will tell us the shape of things to come, obviously. This is appropriate and we would like that.

Mr. Speaker, in responding to the amendment, because we follow diligently the rules of this House and stay relevant, if the minister is saying that employees, such as an instructor, should not be on the Board of Directors, then I am afraid he is being totally inconsistent. He has only to look at the university, look at the Board of Regents of the university, and look at the Senate of the university made up of massive numbers of professors who are involved there.

If the minister is being consistent, then I suggest he bring in a bill to amend the Memorial University Act and wipe all those people out and destroy the collegiality of what is going on. It is a college and in college the idea is you have collegiality. It comes from that very word of 'college' that you have collegiality. It means you do not have the employer - employee relationship on a hard, industrial model.

To suggest it, and for the minister to say, 'This is the reason we are not allowing that,' suggests they are setting up something less than what we would have hoped he would set up, a collegial atmosphere in which there is co-operation from virtually the top to the bottom. I suggest that this is a poorly advised change to the model that

worked so well at the Bay St. George Community College and should have been working for these five institutions as well. So, Mr. Chairman, I say to you that I am disappointed to hear the minister speaking against such an inspired and wonderful amendment.

By the way, in terms of the member for Fortune - Hermitage (Mr. Simmons), the Leader of the Opposition, I think if he looks at it he will find there is nothing wrong with the wording of it.

It says, 'A Board shall include two members appointed by the Minister who shall (a) be a full-time student of the college nominated by the executive body of the student association of that college, and' - in conjunction with a completely independent clause there - 'an instructor', etc, etc., etc., as followed in the amendment itself.

So I suggest the confusion is probably only in the Leader of the official Opposition's (Mr. Simmons) mind. Quite frankly, it very clearly says that these would be two individuals. One of them would be the student and one would be the instructor concerned. So I think it is appropriate for the minister to have said this today. If they are going to vote against it, it is fine. There are 700 vocational instructors in this Province who will be governed by these particular colleges and I think they will be interested in knowing that the minister is attempting to destroy the excellent cooperation that has existed in these institutions for years by saying that he wants a hard industrial model there where the Board of Directors are going to be a tough board that will run the thing on an industrial model

and to heck with anybody's opinion about how it should operate. I think it is a lamentable thing. I think, if he believes that philosophy, then he should do the same thing to Memorial University before they get too uppity as well.

MR. SIMMONS:
Mr. Speaker.

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

MR. SIMMONS:
I admit to considerable confusion in my mind about many matters but I was just trying to be helpful to the member and that is what you do. When you try and help a socialist, you can get into some real trouble.

Mr. Chairman, I did want to say to the minister though, it seems to me he makes too much of the employer/employee dichotomy in that it would seem to me that a board in this context is not an administrative board. The Act clearly assigns to the Chief Executive Officer, the President, under section 5 (1), the administrative responsibility. It would seem to me that the manutiae, the nitty gritty of administration would not be a matter for the preoccupation of the board in any event.

If you read the objectives or the - what is the term I am looking for - the duties or the power of the board, you will find that they fall more clearly in the lines of general policy determination rather than day to day administration.

I would see nothing particularly difficult about having an employee, as he characterizes

them, having an instructor sit on a board as they do, of course, at the university. Keep in mind that at the university, not only do you have members of the faculty, you also have students sitting on the board as well.

MR. POWER:
Mr. Chairman.

MR. CHAIRMAN:
The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:
Just to those couple of points. We have found in looking at community college boards all across Canada there is not a awful lot of instructor representation on the boards and there are reasons for that.

We have had a great kerfuffle internally in the post-secondary system by dropping the one year drafting course. Can you imagine, Mr. Chairman, if a board and an administration of a college decided to bring in a new course and to drop some old courses and the instructor, who happened to be a member of the board, was involved in the course being dropped? Could not that person, therefore, influence the board not to do what was educationally right? By being on a board, he would be voting to make his own position or her own position redundant. Obviously, Mr. Chairman, that kind of system would not be ideal. We have looked at all sides of it and we have decided and determined after a lot of thought that it would be a better system if there were no instructional staff on the boards. It does not mean there is no communication between the staff and between the board. There are all kinds of advisory committees,

there are all kinds of joint committees and we just think it will work very well. When the member for Menihek makes his comments, obviously he is going to great extremes, that now we should destroy the university system, because the university system has been built up over a long period of time. Here we are doing something new. We are obviously trying to make some corrections that were not in the old bill and we think we have done that here.

Since it is six o'clock, Mr. Chairman, I move the adjournment.

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

MR. SPEAKER:
Order, please!

Is it agreed to stop the clock?

SOME HON. MEMBERS:
Agreed.

MR. SPEAKER:
Agreed.

The hon. the member for Terra Nova.

MR. GREENING
Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bills No. 10, 18, 19, 9, 28, 32 and 25 without amendment, and Bill No. 11 with amendment, and ask leave to sit again.

MR. SPEAKER:
The Chairman of the Committee of the Whole reports it has considered the matters to it referred and has directed him to report Bills Nos. 10, 18, 19, 9, 28, 32 and 25 without amendment,

and Bill No. 11 with amendment.

On motion report received and adopted.

On motion bills Nos. 10, 18, 19, 9, 28, 32, 25 and 11 ordered read a third time on tomorrow.

MR. OTTENHEIMER:
Mr. Speaker.

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

MR. OTTENHEIMER:
I move that the House adjourn until tomorrow at 3:00 p.m.

On motion, the House at its rising adjourned until tomorrow, Tuesday, June 16, at 3:00 p.m.

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Answers to Questions

tabled

June 15, 1987

MINIMUM RETAIL PRICES - FLUID MILK

*Tabled by Hon. J. ...
J. ...
Northern Development
15 June '8*

The following is a result of a telephone survey conducted across Canada on 1987 06 02.

QUESTION - Does your province have a minimum retail price for milk?

<u>PROVINCE</u>	<u>EXPLANATION</u>
NOVA SCOTIA	The minimum wholesale price is established. This price then becomes the minimum retail price.
PRINCE EDWARD ISLAND	Prices are set at the producer, wholesale and home delivery levels. The Retail Price cannot be less than the minimum wholesale price.
NEW BRUNSWICK	Price is set at the producer level only.
QUEBEC	Set by Regie Des Marches Agricoles.
ONTARIO	Only price set is the farm gate price.
MANITBOA	Maximum and Minimum prices set at Retail and Wholesale level.
SASKATCHEWAN	Price is set at the home delivery and wholesale levels in 10 major cities, this effectively sets the price levels through the province. The stores use the home delivery price as a guide in setting retail price. Retail price cannot be less than their wholesale cost. Volume discounts/ rebates are not allowed.
ALBERTA	Set by the Alberta Public Utilities Board.
BRITISH COLUMBIA	Price set at the producer level and cost to processors for each class of milk sold.