



Province of Newfoundland

FORTIETH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND

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Volume XL

Third Session

Number 53

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

Speaker: Honourable Patrick McNicholas

Tuesday

2 June 1987

The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):  
Order, please!

Before calling Statements By Ministers, I have great pleasure in welcoming to the galleries Mr. Trevor Bennett, a former member for St. Barbe.

SOME HON. MEMBERS:  
Hear, hear!

### Oral Questions

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

MR. TULK:  
Mr. Speaker, I have a question for the Minister of Public Works and Services (Mr. Young). Yesterday the minister tried to hide behind the fact that there is an investigation into certain things going on in the Pippy Park Commission for his own lack of action. We learned from the minister yesterday that he does not have the commission's report, as he is required to by the laws of this land, the report of the Pippy Park Commission for 1985-86. Mr. Speaker, by law, I say to the minister, under a certain section of The Pippy Park Commission Act, he was required to have it in his hands and if it was not there he had the obligation to ask for it. I ask the minister again if he would table a copy of his enquiries into the Pippy Park Commission? He said yesterday that they did not submit their report and he had made enquiries. Would he table a copy of the enquiries that he asked for when he asked for that report? Will he then table the commission's answer to his enquiries as to why they

have not presented him with the report that they were supposed to present?

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

MR. YOUNG:  
Mr. Speaker, I am sure if the hon. member would look at Hansard I did not say that I had written. I said I had enquired as to why the report was not tabled, and that is my answer. I cannot table something I do not have, like I cannot table that 1985-86 report that I do not have.

MR. TULK:  
Mr. Speaker.

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

MR. TULK:  
Mr. Speaker, let me ask the hon. gentleman, then, when did this enquiry take place? It is now six months late and that report has not yet been tabled in this Legislature. We know there are problems with the Pippy Park Commission.

MR. FUREY:  
The 'Pickled' Park Commission.

MR. TULK:  
Yes, it is almost the 'Pickled' Park Commission.

MR. BAIRD:  
You are picking it apart.

MR. TULK:  
We know that there are problems with the Pippy Park Commission. When did the minister enquire? What was the nature of his enquiry? Would he also tell this Legislature, if it was by word of mouth that he enquired, just who

was it that he talked to and what was the answer of the lady or the gentleman that he asked the question of as to why they had not tabled the report?

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, as I told the hon. member yesterday, this is under a police investigation and an investigation by the Auditor General. Mr. Speaker, I will have no further comment as to the details of the investigation.

MR. TULK:

A final supplementary.

MR. SPEAKER:

A final supplementary, the hon. the member for Fogo.

MR. TULK:

Mr. Speaker, the hon. gentleman cannot hide behind an investigation. I say to him, he cannot hide behind an investigation, he cannot hide behind the words 'no comment' in this Legislature for not carrying out a duty that is his to carry out. It has nothing to do with an investigation that is going on. We have not asked what are the results of an investigation. We have not asked any of those questions.

MR. SPEAKER:

Order, please!

MR. TULK:

Mr. Speaker, let me ask him another question.

MR. PATTERSON:

Have you put your leader up on tenders?

MR. TULK:

Now would the old terrorist over there be quiet, because he has attacked everything else in the Province now except the few remaining Liberals that he says are left. So I would ask him to be quiet.

MR. SPEAKER:

Order, please!

MR. TULK:

Mr. Speaker, let me ask the hon. gentleman this question. There are several other members of that commission besides the chairman. Would the minister tell this Legislature just why it was that the others members who are listed here as members of that commission, in the annual report for 1984 - 1985, the one that is behind, did not push whoever was responsible for seeing this report put before them, and what disciplinary action, if any, is he taking on those other members? Is he dismissing them for not carrying out their duties, or is the minister trying to keep some adverse publicity from hitting the government of which he is a part and to which he has been a continual embarrassment for the last two years?

MR. PEACH:

You got rid of your leader pretty quick.

MR. SPEAKER:

The hon. the Minister of Public Works.

MR. YOUNG:

Mr. Speaker, to the hon. member's last remark, I think the hon. member is an embarrassment to the Liberal Party with his actions in the House this afternoon.

Mr. Speaker, I am not responsible

whatsoever for the Pippy Park Commission's actions. They are made up, Mr. Speaker, of a person appointed by the city of St. John's, a person appointed by the Pippy family, two people appointed at large by the Cabinet, and there are some more representatives here. There are seven or eight people, Mr. Speaker. The only person who is responsible to me, Mr. Speaker, is the Chairman of the Pippy Park Commission. When I found out what irregularities were going on there, Mr. Speaker, I took action within three hours. When everything is concluded, Mr. Speaker, I will gladly give it to the public. I have no further comment.

MR. TULK:  
Where is the 1985 - 1986 report?

MR. YOUNG:  
Mr. Speaker, I cannot table a report until it is presented to me. When the Auditor General puts his signature on that document I will table it in the House of Assembly.

MR. TULK:  
It is your duty to get it.

MR. PATTERSON:  
Do not be so foolish.

MR. KELLAND:  
Mr. Speaker.

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

MR. KELLAND:  
Mr. Speaker, I would like to direct a question to the hon. the Minister of Public Works and Services. I would ask the minister what kind of a rein or does he maintain any kind of a rein on the Pippy Park Commission in any form whatsoever? He said

in this House yesterday that it is an autonomous body, but it is not an autonomous body. It is governed by statute. It has a statutory obligation to file a report at a predetermined time. Some of the members of at the Commission are appointed by the minister.

MR. SPEAKER:  
Order, please!

MR. KELLAND:  
I have already asked the question on the first of it. So I would like to ask the minister what kind of controls he has and what kinds of lines of communication does he have with the Commission?

MR. YOUNG:  
Mr. Speaker.

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

MR. YOUNG:  
Mr. Speaker, as I said yesterday, the Pippy Park Commission is an autonomous body, and I am answerable to the House of Assembly and the Chairman of the Pippy Park Commission is answerable to me.

MR. TULK:  
And they are supposed to report to you?

MR. YOUNG:  
No, Mr. Speaker. I have no control over the Pippy Park Commission.

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

MR. SPEAKER:  
Order, please!

MR. YOUNG:

I still have the floor, Mr. Speaker. A point of order? Oh, go ahead.

MR. SPEAKER:  
Order, please!

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

MR. TULK:  
The hon. gentleman is either intentionally or unintentionally misleading this House. If he reads the legislation known as The Pippy Park Commission Act, he will see that under statute the Pippy Park Commission is supposed to report to him not later than the 31st of December. So how can he say that it is an autonomous body? Stand up and apologize to the Legislature.

MR. OTTENHEIMER:  
Mr. Speaker.

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

MR. OTTENHEIMER:  
Mr. Speaker, there is no point of order. There is obviously a difference of opinion with respect to a person's responsibility and interpretation of a statute, but it is not a point of order.

MR. SPEAKER:  
I must rule there is no point of order.

The hon. the member for Naskaupi, a supplementary.

MR. KELLAND:  
I would like to redirect a supplementary to the Minister of Public Workers and Services and ask him how he could approve the budget of the Pippy Park Commission last year when he was

not in receipt of their report? In fact, the 1984-1985 report was not received until April of this year, I believe. How can he continue to slack on his obligations as the minister responsible to whom the Pippy Park Commission must report? How can he continually do that and not enforce his ministerial role there?

MR. YOUNG:  
Mr. Speaker.

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

MR. YOUNG:  
Mr. Speaker, I do not approve the budget of the Pippy Park Commission, the Cabinet approves the budget of the Pippy Park Commission. When they submitted their budget for me to submit to Cabinet, Mr. Speaker, there was a financial statement there. But, Mr. Speaker, I have nothing to do with the tabling of the report in the House of Assembly until it is approved by the Auditor General.

MR. TULK:  
Read this.

MR. YOUNG:  
Never mind, 'Read this,' Mr. Speaker. That is my duty and that is what I have done.

MR. EFFORD:  
He would have to get somebody to read it for him.

MR. YOUNG:  
Is that so?

MR. KELLAND:  
Mr. Speaker.

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

MR. KELLAND:

I would like to ask what it is about this minister that everything that I have witnessed that he touches becomes besmirched? What is it? Why is he still allowed to remain in Cabinet? Why is he allowed to remain in Cabinet?

MR. OTTENHEIMER:

A point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

A point of order, the hon. the Government House Leader.

MR. OTTENHEIMER:

Mr. Speaker, I think it well known that questions are with respect to public policy and areas for which the minister is responsible. Your Honour will find in Beauchesne and elsewhere that references which are personally insulting are unparliamentary, are out of order.

MR. KELLAND:

There was nothing personal in that.

MR. OTTENHEIMER:

Personally insulting matters like that are really out of order.

MR. SPEAKER:

To that point of order, the hon. member is now asking a final supplementary and I would ask him to direct the final supplementary.

MR. KELLAND:

I ask, Mr. Speaker, why is he permitted to stay in Cabinet unless his colleagues in Cabinet are part and parcel of any wrongdoing he has ever admitted in this House or in public? I ask the minister what is he trying to hide this time? What is it?

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, I have not been trying to hide anything this time or any other time. When the Auditor General brought it to my attention I acted within three hours, Mr. Speaker, and it is under police investigation. When it is completed I will give the hon. House of Assembly the information, Mr. Speaker, and I have no further comment.

SOME HON. MEMBERS:

Hear, hear!

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Bonavista North.

MR. LUSH:

I have a question for the Minister of Public Works, Mr. Speaker. Mr. Speaker, I ask the minister how he could in all honesty and with a degree of propriety approve two budgets, last year and this year, for the Pippy Park Commission when he had not received reports for two years? Was this not a sign, a signal that something was going wrong with the Pippy Park Commission?

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, the budget was approved with the approval of Cabinet because of the financial statement that was submitted by the Pippy Park Commission. Mr. Speaker, all the report is done by the Auditor General, and when the Auditor General signs his report

and it is presented to me, I table it in the House of Assembly. It is unfortunate, Mr. Speaker, that the press had to pick up and act on behalf of the Opposition, because last time when I tabled the 1984-85 report, they never asked a question about it then, Mr. Speaker. The press have to find out that the report I tabled was over a year old.

MR. LUSH:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the member for Bonavista North, a supplementary.

MR. LUSH:  
Mr. Speaker, I remind the minister that on several occasions over the last couple of years we have alerted the minister to problems with the Pippy Park Commission. We have done it over the last couple of years.

SOME HON. MEMBERS:  
Hear, hear!

MR. LUSH:  
Now, I ask the minister this, why did he not act on the basis of these enquiries then? Why did he not act and possibly prevent this problem that we are now having from developing? I ask the minister - Mr. Old Velcro Lips - why he did not act on the enquiries that we made at that time?

MR. SPEAKER:  
The hon. the Minister of Public Works.

MR. YOUNG:  
Mr. Speaker, I wish the hon. gentleman had brought that up in the estimate committee but I did not see any of them there. Mr. Speaker, I have no further

comment. John was there about his brother's building.

MR. LUSH:  
A supplementary, Mr. Speaker.

MR. SPEAKER:  
A final supplementary, the hon. the member for Bonavista North.

MR. LUSH:  
A final supplementary, Mr. Speaker, to Velcro Lips. Is it not possible that the current legal difficulties involving the Pippy Park Commission might have been forestalled, might have been prevented, if the minister was acting in a responsible and competent manner?

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
The hon. the Minister of Public Works.

MR. YOUNG:  
No further comment, Mr. Speaker.

MR. BARRY:  
Mr. Speaker.

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

MR. BARRY:  
Mr. Speaker, the Minister of Public Works said, as though it were a matter for which he should be acclaimed, that it was only when the press brought it up that members of this House became aware that the Pippy Park Commission had not tabled its report. I ask the minister, is he aware that Section 20 of The Pippy Park Act requires the minister to table in this House, within fifteen days, a copy of that report, and did the minister give any thought to

giving any explanation as to when that was not done?

MR. SPEAKER:  
The hon. the Minister of Public Works.

MR. YOUNG:  
Yes and no, Mr. Speaker.

MR. BARRY:  
A supplementary, Mr. Speaker.

MR. SPEAKER:  
A supplementary question, the hon. the member for Mount Scio-Bell Island.

MR. BARRY:  
Let me ask the minister, does he believe that he is bound by The Pippy Park Act? What does he intend to do about the fact that he is in breach of the law of this House and of this Province, Section 20 of The Pippy Park Act, which he has not complied with?

MR. SPEAKER:  
The hon. the Minister of Public Works.

MR. YOUNG:  
No comment, Mr. Speaker.

I told you I would be in politics longer than you.

MR. BARRY:  
A final supplementary, Mr. Speaker.

MR. SPEAKER:  
A final supplementary, the hon. the member for Fogo.

MR. BARRY:  
Mr. Speaker, I think the minister indicated that there was some sort of threat, that I should not ask him another question. Is that it?

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER:  
Order, please!

MR. BARRY:  
Well, then, let us try this one for the minister.

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

MR. SPEAKER:  
A point of order, the hon. Government House Leader.

MR. OTTENHEIMER:  
I just want to point out that the hon. the Minister of Public Works would not threaten anybody. If the hon. gentleman was threatened, it was by hon. members on that side, not on this side.

MR. SPEAKER:  
Order, please!

There is no point of order.

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

MR. BARRY:  
I would like to ask the Minister of Public Works, in light of the fact -

MR. PATTERSON:  
How much did you pay for Wells? Tell us that.

MR. MORGAN:  
How much did he get paid to drop out is a more important question.

MR. SPEAKER:  
Order, please!

MR. BARRY:  
I still have my files complete, Mr. Speaker.

MR. CALLAN:  
At least he dropped out, but you



were forced out.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

MR. MORGAN:

Show us the files on the Ocean Ranger

MR. FUREY:

You will not get back in cabinet that way, Jim.

MR. BARRY:

Yes.

MR. SPEAKER:

Order, please!

I would ask the hon. member in the back there who is continuously interrupting to please keep quiet when a question is being answered.

MR. CALLAN:

Yes, the member for Bonavista South (Mr. Morgan).

MR. BARRY:

I will do that, Mr. Speaker, as soon as I get the United Cotton Mill file.

Mr. Speaker, I would like to ask the Minister of Public Works, in light of the fact -

MR. MORGAN:

\$200,000 to drop out of the leadership race.

MR. SPEAKER:

Order, please!

MR. BARRY:

Now maybe the member can be bought for \$200,000, Mr. Speaker. Now we have seen his idea of what he is worth.

MR. MORGAN:

You back up that one now.

MR. BARRY:

Mr. Speaker, I would like to ask the Minister of Public Works -

MR. MORGAN:

You cannot, can you? It is true.

MR. TULK:

Mr. Speaker, are you going to name him?

MR. BARRY:

I think in hockey games, Mr. Speaker, the name to be applied would be goon. Is that correct?

MR. MORGAN:

Now I am hitting bone. The hon. member backed out.

MR. SPEAKER:

Order, please!

I am again asking the hon. member on the backbench there to please give the hon. member an opportunity to ask his question. Otherwise I will have to name him.

MR. BARRY:

Mr. Speaker, I think there might be something to this line of questioning. In light of what is happening over on that side, I think there might be something.

MR. PEACH:

Now, Tripper.

MR. PATTERSON:

Now, Mr. Furley.

MR. BARRY:

Now, let me ask the minister, in light of the fact that we have a budget before this House requiring that this House appropriate a certain number of dollars for the Pippy Park Commission, can the Minister of Public Works tell us

whether he is fully aware of the financial affairs of the Pippy Park Commission to the extent that he can say that that money which he is asking this House to appropriate is fully needed by the Pippy Park Commission or whether it is sufficient for the needs of that commission?

SOME HON. MEMBERS:  
Hear, hear!

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

MR. YOUNG:  
No comment, Mr. Speaker. When the investigation is completed I will be able to give the hon. member the information he is looking for.

MR. BARRY:  
A final supplementary, Mr. Speaker.

MR. SPEAKER:  
The hon. member has had a final supplementary.

MR. BAIRD:  
He is after having five supplementaries.

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER:  
I recognize the hon. the member for Menihek.

SOME HON. MEMBERS:  
Oh, oh!

SOME HON. MEMBERS:  
Hear, hear!

MR. FENWICK:  
My question, Mr. Speaker, is for the hon. Minister of Justice. The question I ask the Minister of Justice is under our Elections

Act, Section 121, there is a requirement for all candidates to file a return within four months of the return of the by-election. My question to the minister is this -

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER:  
Order, please!

MR. FENWICK:  
- since one individual, by the name of Shannie Duff, did not file in time but now has filed, and since Rex Murphy has also not filed up to this date, or up until yesterday when we checked, we would like to know is the minister going to impose the \$10 per day fine, which is about \$400 or \$500 for each of these individuals, because they did not file within the time limited specified in The Elections Act?

MS VERGE:  
Mr. Speaker.

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

MS VERGE:  
Mr. Speaker, this is a matter on which I will be consulting my officials, including the executive of the department and the Chief Electoral Officer. But in dealing with these two particular instances, of course, we will consider past practice, and to my knowledge there has never been a penalty levied for late filing of a statement of election expenses under our current legislation.

MR. FENWICK:  
A supplementary, Mr. Speaker.

MR. SPEAKER:  
A supplementary, the hon. the

member for Menihek.

MR. FENWICK:

Mr. Speaker, that is pretty well the answer we expected because it has not been enforced in the past, which is entirely the point. My question to the minister is this: Since there was an Elections Act filed from a committee that the member for St. John's North (Mr. J. Carter) headed back in, I think, the Fall of 1983, is there any indication whether your government will be bringing in over the next little while a new Elections Act that does indeed have teeth in it, does force disclosure, as in the case, for example, of the new Leader of the Liberal Party, so that we can find out where the money is coming in and how much it will be? In other words, Mr. Speaker, my question to the minister is: Are we bringing in a new Elections Act which will disclose these kinds of things, which will have teeth in it, and will bring our level of politics up to the same level as it is in the rest of Canada where good legislation is in place?

MS VERGE:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, this administration has been actively considering proposals for new elections legislation for quite some time. As most members of this House are aware, the issues raised in consideration of elections legislation are numerous and complex. We are taking a considerable amount of time to evaluate the issues and implications thoroughly, and we will be continuing this exercise

over the next several months. With respect to the filing of election expenses statements by the two candidates mentioned, as the member for Menihek has pointed out these statements have been filed, albeit after the deadline but within a reasonable period after the deadline. The statements are now in the hands of the Chief Electoral Officer and are open to the public.

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

A final supplementary.

MR. FENWICK:

The final supplementary has two parts to it, Mr. Speaker. For one thing, Rex Murphy's has not been filed as of yesterday, so if it has it is news to us. The final supplementary is, given that the minister indicated she would be looking at past precedents, and I think she is fully aware that we have never in our entire history implemented a fine, does that mean that what the minister has told us is that there is no intention whatsoever of imposing a fine on these individuals in this instance?

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, I answered that question earlier by saying that I would be consulting the officials of the department. I have just returned to my office after a week away. I attended the National Attorneys General and Ministers of Justice Conference in New Brunswick last week and then spent three days in my constituency. Before I left I know that Shannie Duff's statement of election expenses had been filed, and from

the question of the member for Menihek I thought he was indicating that Rex Murphy's statement had been filed in the interim. I will be reviewing these matters with my officials and considering appropriate action. As I said before, these matters will be evaluated in the light of past practice and to my knowledge, even though some statements of candidates have been filed late in the past, and perhaps some statements were not filed at all, there has never been fines levied under our current legislation.

MR. FUREY:  
Mr. Speaker.

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

MR. FUREY:  
I have a question for the Minister of Public Works and Services. In light of his comments there a few minutes ago, I am wondering if he is prepared to have the \$1,236,700 which is allocated in this year's budget for Pippy Park deleted from the budget or frozen in the budget pending the outcome of this investigation which he has initiated?

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

MR. YOUNG:  
No, Mr. Speaker.

MR. FUREY:  
A supplementary, Mr. Speaker.

MR. SPEAKER:  
A supplementary, the hon. the member for St. Barbe.

MR. FUREY:  
Mr. Speaker, the minister tabled

the report of the Pippy Park Commission for 1984-85 a year late. Under the act he is also supposed to table, under Section 20, Subsection 21, Section 1, a financial statement setting forth the assets, liabilities, the receipts, the expenditures, all of the financial statements surrounding the Pippy Park Commission. I would like to ask the minister where is that financial statement? It was not tabled with this report.

MR. SPEAKER:  
The hon. the Minister of Public Works.

MR. YOUNG:  
Mr. Speaker, I have tabled the annual report as required by law, and the annual report I presume was in the budget, Mr. Speaker. There is not one thing of how a dollar was spent on what income was here. There are two pictures there, Mr. Speaker, on page nine, and they look like the future Leader and the former Leader of the Opposition. Here they are, Mr. Speaker, two donkeys.

MR. SIMMONS:  
Mr. Speaker.

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

MR. SIMMONS:  
Mr. Speaker, I want to come back to our good friend, the Minister of Rural, Agricultural and Northern Development (Mr. R. Aylward), while he is still the Minister of Rural, Agricultural and Northern Development. I am sure he will be as concerned as others were last night by the revelation on NTV, by the Vice-President of Sprung, in which the Vice-President indicated

publicly on NTU last evening that he and his firm saw the deal in Newfoundland, the proposed hydroponic project here, as a business opportunity by which to pay off their bills in Alberta, and, Mr. Speaker, I quoted the Vice-President pretty well word for word. In light of that fairly astounding revelation, has the minister had cause to review the proposal of Sprung to set up an operation here in the Province?

MR. SPEAKER:

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

MR. R. AYLWARD:

Mr. Speaker, I was busy last night and I did not have a chance to see the news report. Mr. Speaker, I know that things the hon. member says are mostly always to the point and I would accept that if that is what he heard, I would imagine that is what was reported. I have not talked to the Vice-President, the person from Sprung, but no, Mr. Speaker, I am not reconsidering the deal with Sprung. I am looking forward to having them set up here in this Province.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. SIMMONS:

Mr. Speaker, even one of the experts that the Premier touted as wanting to say things in favour of this operation described it today on CBC radio as a high-risk venture, a high-risk undertaking.

In view of the statements by the Vice-President of Sprung, as quoted in my earlier question, and the general concern about the viability of the technology as cited by the federal minister, Michel Cote, would the minister indicate to the House what it is the government committed itself to when it signed this deal in principle? And, in particular, in view of the fact that this has become so badly unstuck and such a monumental embarrassment for the government, has the government looked into the possibility of getting out of this deal? Would he indicate to the House what would be the actual cost in financial terms, what would be the cost to the taxpayers of getting out of this deal now should the government decide not to go beyond the agreement in principle stage?

MR. SPEAKER:

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

MR. R. AYLWARD:

Mr. Speaker, this government has put a lot of effort into attracting this new, very state-of-the-art technology into this Province, Mr. Speaker. To date we have no intention of trying to get out of a good deal which we have to transfer technology into this Province and to encourage the Sprung Corporation to set up here as quickly as possible so we can produce what is necessary for top quality produce in this Province, Mr. Speaker.

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Port de Grave.

MR. EFFORD:

Mr. Speaker, my question is for the Minister of Social Services (Mr. Brett), concerning the Provincial Association for Family Violence, which this morning, on the third floor, had a very interesting seminar with very interesting information. I would like to ask the Minister of Social Services why he did not see it necessary for either him or some of his assistants to attend that very important seminar this morning?

MR. SPEAKER:

The hon. the member for Social Services.

MR. BRETT:

Mr. Speaker, I was very much aware that - I do not know if it was a seminar or not - a presentation was being held on the third floor of Confederation Building. I was involved in an extremely important meeting with the senior members of my staff. It was a judgement call as to whether I would cancel the meeting or whether I would attend the event the hon. member talks about. I decided not to cancel the meeting, I went ahead with it and, therefore, I did not make this event. I am well aware of it, I am well aware of the problems associated with family violence, and I think some of my staff have already seen this presentation. We are very much aware of it and I am glad the hon. member found time to attend and, I might also add, several of my colleagues attended that function as well. I should also tell the hon. member that I am not the only minister in this administration who is concerned with the social problems of this Province. All of my colleagues are concerned and several of them were there, Mr. Speaker.

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

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

MR. EFFORD:

I am well aware that the minister is not the only minister in the government, but I assume he is the only Minister of Social Services and little is he doing about that.

I would ask the minister: Seeing as he knows the importance of this particular association, whose budget for this year is \$327,000 and they have only been allocated \$228,000, will the minister, seeing he has found enough money for a lot of his patronage affairs, come up with the remaining money that this association needs in order to carry out their projects for the rest of this year?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, two of the most serious social problems facing society today, the society that we know anyway, are the problems of child abuse and family violence. No matter how much we do as a Province or how much we do as a country, this great country of Canada, I would suggest that it will not be enough. Because of the public awareness that has been created in the last year or so, governments all across Canada are receiving more and more complaints. The number of complaints that are coming into governments - well, I know in this

Province - have increased by some 100 per cent more.

Mr. Speaker, whether or not there is in fact an increase in incidents of child abuse and family violence has not in fact been documented, but we do know that the number of cases reported continue to increase. It is a matter of great concern to the provinces and to the federal government.

Now, Mr. Speaker, the hon. member's figures are all wrong. Just a few years ago we had one transition house in this Province, and today we have transition houses in Corner Brook, St. John's, Happy Valley, and Labrador City. Mr. Speaker, last year we budgeted \$365,000 and we spent \$495,000, almost half a million. That figure, Mr. Speaker, this year will increase to almost \$800,000. So I give the House these figures just to point out that government is very, very cognizant of the serious problems that exist and what we are trying to do about them.

MR. SPEAKER:  
Order, please!

The time for Oral Questions has elapsed.

I would like to welcome to the visitor's gallery sixty-nine Grades VII and VIII students with their three teachers Wade Martin, Harry Grandy and Wayne Green. They are from Little Heart's Ease All-Grade School in the district of Bellevue.

SOME HON. MEMBERS:  
Hear, hear!

### Presenting Reports by Standing and Special Committees

MR. OTTENHEIMER:  
Mr. Speaker.

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

MR. OTTENHEIMER:  
Before presenting the report, I call to Your Honour's attention that also in the gallery is the former Member of Parliament for Trinity - Conception, Mr. Tucker. I am sure members of the House would like to welcome him to the Legislature.

SOME HON. MEMBERS:  
Hear, hear!

MR. OTTENHEIMER:  
I would also like to table the Annual Report, 1986, of Newfoundland and Labrador Hydro.

MR. MATTHEWS:  
Mr. Speaker.

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

MR. MATTHEWS:  
Thank you, Mr. Speaker.

I would like to table the Financial Statements and Activity Report of the Newfoundland and Labrador Heritage Foundation for the year ended the 31st March, 1986.

### Answers to Questions for which Notice has been Given

MR. YOUNG:  
Mr. Speaker.

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

MR. YOUNG:  
Mr. Speaker, for the information of the Opposition, I would like to direct their attention to the Auditor General's Report, Public Accounts, signed January 26, 1987, where there is a full account and an audited statement of the Pippy Park Commission on page 92.

MR. TULK:  
Mr. Speaker, I believe the hon. gentleman rose on a point of order.

MR. YOUNG:  
No, I never, Mr. Speaker.

000

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

MR. SPEAKER:  
A point of order, the hon. the member for Fogo.

MR. TULK:  
The hon. gentleman is now trying to weasel out from under something that he is suppose to do in this Legislature. The fact of the matter is the Pippy Park Commission Annual Report is suppose to contain financial information showing revenues and expenditures and the fact of the matter is it is not in the annual report that was tabled for 1984 - 1985, and the fact of the matter is that the Minister of Public Works and Services, who is suppose to see that that is done, has been derelict in his duties. He can hide behind the Auditor General's Report all he wants. Let me say this to him: That is 1984 - 1985. Where is 1985 - 1986?

MR. SPEAKER:  
Order, please! There is no point of order.

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

MR. SPEAKER:  
On a point of order, the hon. the member for Mount Scio - Bell Island.

MR. BARRY:  
Mr. Speaker, we have The Pippy Park Commission Act, an act of the Legislature of this Province. We have a minister who has broken a section of that act. Now, is the former Minister of Justice, now the Government House Leader, or is the current Minister of Justice going to do anything to enforce the legislation of this Province or is it all a mockery?

SOME HON. MEMBERS:  
Hear, hear!

MR. OTTENHEIMER:  
Mr. Speaker.

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

MR. OTTENHEIMER:  
Mr. Speaker, we know the hon. gentleman is getting ready to go back to the practice of law, but let him not try to impress people in here as if we were going to be foolish enough, as if he were going to find potential clients here. As our colleague the Minister of Public Works and Services has pointed out, within three hours after any inadequacy became known to him -

MR. TULK:  
What has that got to do with it?

MR. OTTENHEIMER:



Listen to them, Mr. Speaker, they do not have the manners of a horse's you-know-what. They get up and make allegations, and they do not even listen to answers.

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

MR. TULK:  
Who is the you-know-what?

MR. OTTENHEIMER:  
I do not have a mirror. You look in a mirror and you will find it. It will be backwards.

But, Mr. Speaker, the point is we should not allow our tempers to get ruffled. The hon. gentleman asked a question, I said, you know, certainly he was not going to, by his courtroom tactics, necessarily recruit any clients here.

The hon. minister has pointed out that there is a police investigation underway and that the Auditor General is looking into the matter. When the police investigation is completed and when the Auditor General's report is completed, he will make a full disclosure and nobody can act in a more responsible manner than that.

MR. FUREY:  
To that point of order, Mr. Speaker.

MR. SPEAKER:  
I will hear the hon. member very briefly on that point.

The hon. the member for St. Barbe.

MR. FUREY:  
Mr. Speaker, the hon. member knows, and he has good legal training, that this police investigation is but merely a week old. This report is a year late.

There is a big difference, a clear and distinct difference. He can hide behind all the silly jargon he wants but he knows that there is a distinct difference. In the one case there is a police investigation, which is a week old and which has nothing to do whatsoever on this planet with the report being a year late. That is the fact of the matter, Mr. Speaker.

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

MR. BARRY:  
I rise on another point of order, Mr. Speaker.

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

MR. BARRY:  
We have a budget before this House, included in that budget is \$1,236,700 which the Government House Leader, when he calls the Budget Speech, is asking this House to appropriate for the Pippy Park Commission. Is the Government House Leader saying that members of this House must vote for that blindly, not knowing what the financial position of the Pippy Park Commission is, and not knowing whether or not that money is required, or is sufficient for the Pippy Park Commission? What is the position of Government in the budget debate?

MR. OTTENHEIMER:  
Mr. Speaker.

MR. SPEAKER:  
To that point of order, the hon. the Government House Leader.

MR. OTTENHEIMER:  
Mr. Speaker, the estimates

themselves have been passed but when the budget motion is up, hon. members will vote as they wish. The hon. gentlemen on the opposite side may support the budget or they may vote against the budget. Hon. members on this side, I think, will support government's financial policy. Hon. gentleman on the opposite side can do what they wish.

MR. BARRY:  
Blindly?

MR. OTTENHEIMER:  
Rationally,                   intelligently,  
thoughtfully, -

MR. BARRY:  
With information?

MR. OTTENHEIMER:  
- and with all the necessary information.

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

MR. TULK:  
A new point of order, Mr. Speaker.

MR. SPEAKER:  
The hon. the member for Fogo, a new point of order.

MR. TULK:  
Mr. Speaker, the hon. gentleman knows that what has been done here is completely contrary to what this Legislature stands for. We have already in this Legislature, I say to him, given funds to the Pippy Park Commission, perhaps quite wrongly, and we are about to do it again because they have not yet reported to this Legislature.

MR. SPEAKER:  
Order, please!

MR. TULK:

Now I ask him to see that things are right -

MR. SPEAKER:  
Order, please!

MR. TULK:  
- that indeed the money is passed appropriately.

MR. SPEAKER:  
Order, please!

That point of order seems to the Chair to be exactly the same point I ruled was not a point of order.

### Petitions

MR. FENWICK:  
Mr. Speaker.

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

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

This petition, Mr. Speaker, is identical in the prayer to the one that was entered into the record yesterday. It contains 170 signatures from individuals, again, who are employees of the provincial government here. I wish to enter it into the record and also to direct it to the Minister of Finance who is stubbornly resisting doing the honourable thing and giving our pensioners what is their due.

One thing I would like to point out, since I did not have a chance to reply to the minister's speaking to the petition yesterday where, by the way, he supported it in a most unique manner, and that is, he claimed yesterday that to put in the kinds of changes that I would like to see, or at least to

retain the kinds of privileges that were here before, would cost more money because we would be adding additional benefits to the provincial pensioners.

Mr. Speaker, we are not adding anything at all. All we are saying are the benefits that they have contracted for over their working lifetime in the last twenty or thirty years they be given in accordance with the agreement under which the pension scheme was set up back in 1967.

In other words, Mr. Speaker, the implication was that we would be giving them something additional that they did not earn over that time period. In fact, we would be giving them exactly what they earned. To follow the Minister of Finance's (Dr. Collins) interpretation of the legislation and the changes he proposes in Bill 40 would indeed take from them something which they have earned over the last period of years.

So, Mr. Speaker, I again request that the government live up to its moral obligations to treat its pensioners fairly and to make sure that the pensions they receive when they hit age sixty and the early CPP now clicks in, that they do not have their provincial pension reduced, as has been the practice since January 1 of this year and is the practice, as far as we know, Mr. Speaker, only in this Province, not in any of the other provinces of Canada, and is not the practice in Ottawa as well.

So, Mr. Speaker, we just want to reiterate those points. It is not a case of giving them anything more. It is keeping them from losing what the Minister of

Finance so callously has been taking from them since January 1.

MR. LUSH:  
Mr. Speaker.

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

MR. LUSH:  
Mr. Speaker, I rise to support the petition presented, and also echo his same sentiments. Certainly the Public Service pensioners of this Province should be entitled to receive the full benefits of pensions to which they have paid in.

It seems as though the provincial government are using the Canada Pension Plan to its own advantage and not to the advantage of the pensioners. This seems very, very clear, and it is certainly callous treatment. It is a crime, Mr. Speaker, it is a travesty, that people who take an early retirement are penalized by this government because they are entitled to receive Canada Pension Plan benefits.

I would again echo the words echoed by the hon. member in presenting this petition, that as far as I can find out, and obviously as far as he can find out, we are the only province having this particular arrangement. I understand, as a matter of fact, when the minister or his officials were in Ottawa where they discussed this and this Province made known its proposals, there were a lot of raised eyebrows by the other provincial ministers. They were quite surprised that our Province was going to bring in this scheme, that they were going to use the Canada Pension Plan to the benefit

of the Province and not to the benefit of the pensioners. I understand, Mr. Speaker, that there were a lot of raised eyebrows around that table by other provincial Ministers of Finance or the other officials, whoever they represented. They were quite surprised that our Province was going to take advantage of the Canada Pension Plan for the benefit of the Province and not for the benefit of the pensioners.

Mr. Speaker, that should not be the case. I suggest the minister look at this again to ensure that our pensioners in the Public Service receive the full benefit of pensions to which they have paid in and to which they are entitled.

As a matter of fact, there is legislation in other provinces to prevent the private sector from doing this. There were moves by the private sector to have this kind of a thing done, but there is legislation in other provinces to prevent the private sector from doing this kind of thing, but not in this Province.

So, Mr. Speaker, we have certainly gone astray from other provinces in terms of giving our pensioners the full benefit of the Canada Pension Plan, and that should be reversed immediately so that our pensioners receive the full benefit of both their pensions, the pension of the provincial Public Service, and the Canada Pension Plan as well.

DR. COLLINS:  
Mr. Speaker.

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

DR. COLLINS:

Mr. Speaker, just a brief few comments. I will not comment in detail because, as Your Honour knows, there is an item on the Order Paper which will come up which deals specifically with this and members of the House of Assembly will have the opportunity to discuss this to their heart's desire. It has almost been flogged to death already. I have answered it time and time again.

Firstly, pensioners now and in the future will receive fully all the benefits that they pay in for. As a matter of fact, they will receive more benefits than they pay in for. There is a huge, unfunded liability which the government will make up. That unfunded liability is something that the pensioners have not paid for but from which they will get benefit.

So, it is at the height of nonsense, foolishness, and irresponsibility to say that pensioners will get less than they paid for. They have always gotten more than they have paid for, they now get more than paid for, and in the future they will get more than they paid for. So let us put that chestnut to rest.

Secondly, it is said that we are not doing things as other provinces are doing. Correct. For instance, we are not requiring our employees to contribute as much as other provinces. We are more generous to our employees in terms of requiring pension contributions than other provinces. Our contribution rate is less.

Thirdly, this early retirement thing is not new. It has been there for years. All people who

retired early, for whatever reason, because of the nature of the programme and because of the nature of the contribution schedule, had the reduction factor applied to them which meant that the aggregate pension that they took home had a higher proportion from the CPP than would otherwise be the case.

It is not an unusual thing. It has been there since the plan was in effect in 1967, I think it was, on the basis of a Royal Commission in 1966 which advised that it be done this way.

Now, the bill on the Order Paper will give some protection to pensioners that is not now there. So this is a good bill that is coming up on the Order Paper which will give an added benefit to pensioners. There is something not there now which this bill will now add. So that is a benefit.

MR. K. AYLWARD:  
Mr. Speaker.

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

MR. K. AYLWARD:  
This is another petition from the Stephenville and Bay St. George area concerning the cutbacks in social services. Petitions are still coming in. They have them all over the area and I expect I will be getting them on a daily basis over the next couple of days.

It is an issue, Mr. Speaker, which has been alive, is not going away and the people out there are very concerned about it. I feel that this government should review its decision to cutback in that area of government spending and in

government help. It is area where, for example, this morning we see a need for more resources in the area of family violence to deal with that problem.

I want to urge the government and the minister responsible to review the decision taken by his department in cutting back positions in department offices around the Province. I would like to say, Mr. Speaker, that I also found out over the weekend that one member of the government was down in his district saying that a position they were going to lose, they might not lose. I do not know why he would say that or what power he would have more than anybody else, Mr. Speaker, but it disturbs me because these positions are very crucial to the people around the Province who depend on the services.

We have people around the Province, Mr. Speaker, for example, foster children who have major problems to deal with and who now have less resources to work with and less people in the department to help them work on and solve the problems. I have to continue, Mr. Speaker, in presenting these points of view from these people because this is their avenue and a lot of them want to express it.

A lot of them have been telling me that the issue is not going away. As a matter of fact, they are trying to develop more ways to make it a public issue so that this not be allowed to occur. When such moves are made by government, it is time that they respond to the views of the people out there and the majority view, 99 per cent, 100 per cent pretty well, is that this decision taken by government be reviewed because

of its drastic effects on the services offered to the people.

I suppose it goes right to the heart of what priorities you take. While realizing the financial restraint that the government is under, realizing its financial commitment that it has to other departments, I want to say to the minister and his government that there has to be certain major priorities. Getting up and saying you are spending \$360,000 a day on social services does not solve the problem and does not mend what you have just done, which is lower the services that these people who are in desperate shape and desperate need require.

I can only say that I will continue, as more petitions arrive, to present these points of view in the House of Assembly for these people because they do not see why we have to give money to other areas of priority that this government has chosen, such as millions of dollars for outside companies as such to set up projects that are not that feasible maybe. They look at that and they say, 'How can you justify the \$700,000 that you are saving here by cutting back social services?'

Where is the priority that you have when they are out there screaming for more councillors to deal with the problems that they have? Where was the priority of the government when there was screaming there? There were people looking for and groups lobbying for more resources in the social services field and you decide that you do not need thirty-five positions in your department. I have a problem, Mr. Speaker, with that priority.

I will again point out to the government, realizing the financial predicaments and so on that this government have themselves in, they should reassess that decision, they should reassess the priority that social services has. While they may be spending a ton of money on it, there are areas where they are spending money on it that are of some question, like when it comes to these job programmes at times, Mr. Speaker. With the unemployment rate that they have in this Province, we have seen increasing social problems when it comes to family violence and when it comes to the abuse of people.

So the \$700,000 saving, Mr. Speaker, I think is going to mean more of an expense because this government is going to see more people who are not getting those services needing more help in the future. It is going to mean increased costs, Mr. Speaker, to provide the proper service for these people around the Province.

I can only tell you, Mr. Speaker, that the people in my area and all over the West Coast are very saddened by the decision government has taken. They have asked me and a number of other members to present these petitions to keep the issue alive until government decides that we are going to make this more of a priority. I think that that is the point of view that we want to get across, Mr. Speaker, the realistic point of view that I think this government should undertake to look at. They should review the decision and come back and, at the very least, provide the service that was there before.

Thank you, Mr. Speaker.

MR. FUREY:  
Mr. Speaker.

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

MR. FUREY:  
Mr. Speaker, I would like to rise in my place today to support the prayer of the petition so ably presented by the member for Stephenville.

Mr. Speaker, it is kind of a sad reflection upon the government of this Province of Newfoundland and Labrador when you see the Minister of Finance some days ago standing in his place to proudly state that he and his government have spent \$1.1 billion on welfare and social services since 1979. I would have thought that rather than taking credit for such a massive expenditure, they would have hung their heads in shame in fear of admitting that there was such a deep and entrenched problem in this area of our society.

Mr. Speaker, my hon. colleague from Stephenville talks about the cutback of thirty-five social workers. Now, Mr. Speaker, if there was ever a department that ought not to be tampered with in this Province, because of the state that we find ourselves in, it is the Department of Social Services. If anything, we should not only be sensitive but super sensitive to people who, through no fault of their own, have to come and knock at government's door for help.

What do we see? We see a classic case of twisted priorities and convoluted priorities. Instead of saying, we ought to retain these jobs and we ought to give people just a little bit more to make their lives more dignified and

more meaningful, we see them take the cutting knife and pare closer to the bone and chop away in an area that ought to be super sensitive.

MR. DINN:  
You know all about knives over there all right.

MR. FUREY:  
I see the Minister of Mines (Mr. Dinn), in his usual jocular way, spouting from his desk, and he is the man responsible for 165 jobs in my very district.

His leader, the Premier of the Province, gave a commitment a week ago that he would give us a final decision a week later. That week was yesterday. I asked the minister yesterday and what did he do? Shrug it off, 'My leader is not here.' Well, he has lost control of his department anyway, so what else is new.

Mr. Speaker, getting back to the real issue at hand. The real issue at hand is the people out there. I would like to see this minister, or indeed any minister of this government, stand in their place and tell me or tell any thinking Newfoundlander or Labradorian, Mr. Speaker, that the \$700,000 the Premier spent on paint and new drapes and new carpets was a meaningful expenditure, was a priority, when he chops away thirty-five social workers' jobs! Let that minister stand in his place today and defend the \$3 million that they spent - and he was part of it - trouncing across Europe, running across Southeast Asia, across Australia, across South America, across the United States, \$3 million. How many jobs did they bring back from these exotic lands, these jet setting Cabinet

ministers?

Mr. Speaker, let him stand in his place and tell me it was a priority to spend \$250,000 worth of taxpayers' hard earned dollars on the cocktail circuit last year! Let him stand in his place and defend that! Again, Mr. Speaker, let him stand in his place and defend the hiring of eight press secretaries for eight lazy ministers when we have a department called the Newfoundland Information Services at a cost of \$250,000. \$3 million, Mr. Speaker, for jet setting; \$250,000 for the cocktail circuit; \$250,000 for press secretaries for lazy ministers; and \$700,000 so that the Premier can have pretty pinks and pastels to look at in his office. Twisted, convoluted priorities, Mr. Speaker, and that minister and his government should be ashamed.

MR. TULK:

Mr. Speaker, on a point of privilege.

AN HON. MEMBER:

(Inaudible) privilege.

MR. SPEAKER:

A point of privilege, the hon. the member for Fogo.

MR. TULK:

Now, I know the hon. gentleman was in the Chair at one point, but he is not there now and he does not need to make rulings.

Mr. Speaker, I rise on a matter of privilege, and I would ask Your Honour to listen because I think it is a serious matter of privilege. I realize full well in rising that a matter of privilege is not to be taken lightly and is something which should rarely be raised. I say to Your Honour, I

rise on a point of privilege and it concerns a very serious breach of this House's privileges and of the law of this land by the Minister of Public Works and Services and the effect that that action has upon this Legislature.

Your Honour, I could read Section 16 but I do not believe I need to do that. Because as Your Honour will know, "Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions." I say to Your Honour that that is perhaps the key phrase in the argument I am going to use.

I would go on and read to Your Honour, "The privileges of Parliament are rights which are 'absolutely necessary for the due execution of its powers'. They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its Members and the vindication of its own authority and dignity."

Mr. Speaker, as Your Honour knows perhaps better than I do, the function of parliament as it was originally defined is to appropriate and to see that the finances of a country are rightly spent and properly spent after due investigation of what has gone on.

Mr. Speaker, this Legislature has an act which is called The Pippy Park Commission Act. Section 20 of that act reads: 'The Commission' - meaning The Pippy Park Commission - 'shall not later



than the 31st day of December in each year prepare and submit to the minister a financial statement setting forth the assets and liabilities of the Commission' - to the minister, I say - 'and the receipts and expenditures of the Commission for the previous year together with a report concerning the work of the Commission during the previous financial year.'

Your Honour, in the case of the Minister of Public Works and Services, I want to refer Your Honour to section 22 of that piece of legislation. It says, 'The statement and report referred to in subsection 1 shall be laid before the Assembly within fifteen days after which they are submitted to the minister if the Assembly is then sitting, and, if not, then within fifteen days after the commencement of the next ensuing Session.'

Your Honour, there is a very clear reason for that, obviously. That piece of legislation was debated in this House for a very clear and a very understandable reason and that is that the minister and the Pippy Park Commission through the minister, has to be responsible for how it carries on its financial affairs in this Province to the Legislature so that we can make appropriate decisions affecting that Commission.

Mr. Speaker, I believe this is the last detail I want to bring to Your Honour's attention: We are asked by the Minister of Finance and the Minister of Public Works and Services to approve a budget of \$1,236,700 for the Pippy Park Commission for this year. Mr. Speaker, we would normally do that on the basis of information that is supplied to us by the minister and that is supplied to him by the

Pippy Park Commission and which he has an obligation to go get.

Now, let me say to Your Honour that the minister is trying to hide behind the fact that there is an investigation going on. We are not asking in this Legislature, and if we are, perhaps we have the right to since we are the highest court in this Province, for him to provide details as to who is being charged, if anybody, who is being investigated, if anybody. We are saying to him that under the legislation and in order for us to perform our duties as legislators, all members, regardless of whether they are on the government side or on ours, have the right and should have the right to information as to how the money that was given to the Pippy Park Commission last year was spent, whether there was an misappropriation of funds, or whether they were spent in the way that they were meant to be spent. I would submit to Your Honour that in order for this Legislature to do that, in order for my duties as a member to not be impeded, or any other member in this Legislature, I should have that information before me. And that is obviously the reason for the fifteen days being written in: 'The minister is required to submit that to us within fifteen of the opening of the Legislature.'

Mr. Speaker, my point is that by the minister asking us to approve those funds and by withholding the information it is necessary for us to have in order to approve those funds, and by the minister continually standing in his seat and refusing to either go after the report or to submit it to the Table of this House, every member of this Legislature is being impeded from carrying out the duties that he was elected to do.

By his refusal to do so, I submit to Your Honour that he is breaching the privileges of this Legislature and of every member in it.

Now, the Government House Leader will rise and he will probably go into this spiel again about the investigation, whether it is criminal or otherwise, that is going on into the Pippy Park Commission. I say to Your Honour that he should discard that, that he should forget it, it has nothing to do with what is going on in this Legislature. In this Legislature we have the solemn duty to examine the finances of the Pippy Park Commission and we have the solemn duty to do that before we appropriate any more funds to them to carry on their operations next year. That is obviously the purpose of the act and in breaking the law, which the Pippy Park Commission has done, the hon. gentleman, the Minister of Public Works, has broken the privileges of this Legislature.

MR. OTTENHEIMER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. OTTENHEIMER:

Mr. Speaker, before beginning what my hon. friend refers to as my spiel, I assure him it will be 15 per cent, perhaps less, in length of what it is in value. That will be for others to judge, including the hon. the member for Windsor - Buchans.

However, just a couple of matters I want to refer to, and then the unthinkable thing, try to quote an authority or so. It has been alleged that members of the House

are being impeded in their duty, and their duty is to form a judgement. Now, Mr. Speaker, when it comes to members forming a judgement, if they make up their own minds and when the government, or a minister, puts forward a case, those who support that government, are in agreement with government policy, will, if they so wish, support it, and those who do not will vote against it. But there is no gun to anybody's head and everybody is free to use their own judgement.

With reference also to the Pippy Park Act, and the Chair is not an authority to give statutory interpretations, if hon. members on the opposite side believe that a minister is in breach of a statutory obligation, the redress for statutory obligation is in the courts and let them go to the courts with respect to any allegation they have with respect to a breach of a statutory duty. Really what it hinges around, Mr. Speaker, is the fact that the Minister of Public Works has said in effect, "I will not give any more information on this matter because there is a police investigation and because the Auditor General is conducting an enquiry. Therefore, I have no further comment. That essentially is what he has said, and that is essentially what the Opposition is speaking against.

Now, page 12 of Beauchesne, Section 19, says very clearly 'The failure of a Minister of the Crown to answer a question may not be raised as a question of privilege.' What it all hinges around is that the Minister of Public Works for his own and very good reasons has refused to answer certain questions which are being asked by the Opposition and he has

given his reason for doing it. Whether one agrees with his reason or not, it is quite clear in Beauchesne that 'the failure of a Minister of the Crown to answer a question may not be raised as a question of privilege.' And that is essentially what the Opposition is saying, that the minister will not answer them this, or will not answer them that, or give them this information, or give them that information. He has made clear that he will not do it, and he has made clear the reasons he is not doing it, but what it all boils down to is no member is being impeded from using his judgement. In voting on a matter, every member may use his judgement.

The suggestion that it is the Chair to which one seeks an address for an allegation of a Statutory breach of a civil nature, is, of course, not the case at all, that is the Civil Courts. The Speaker presides only over points of order and points of privilege, not the enforcement of statutes, whether with respect to members of the House or outside the members of the House. Indeed, the Chair is not in a position to do that and is not able to do that.

What it all boils down to is that the Minister of Public Works has said no, he is not going to give any more information on this at this particular time. And the refusal to answer a question, as quite clear in Beauchesne, does not establish a prima facie case of breach of privilege.

MR. BARRY:

To that point of privilege, Mr. Speaker.

MR. SPEAKER:

To that point of privilege, the hon. the member for Mount Scio -

Bell Island.

MR. BARRY:

Mr. Speaker, the Government House Leader has not phrased the issue quite correctly. It is not that the minister has refused to answer a question. The minister has answered the question which was asked. He was asked the question, 'Will he confirm to this House that he is satisfied that he has the financial information upon which to base the request for \$1,236,700?' The minister has said that he will not give that assurance. The minister will not tell us whether or not he has the information upon which he can base a decision as to whether that money is needed.

What we have here, Mr. Speaker, is something that goes to the very root of the parliamentary process. The Legislature was established in order to approve appropriations for the Crown. As a matter of fact, I have never heard of a situation where it has been otherwise. The practice and tradition of this House is that if there is a request for funds, government ministers will supply the information to justify the request. If they can come in and say here is the money that is needed, no information supplied, let us get on with it, what is the point of debate?

MR. TULK:

What is the point of the House?

MR. BARRY:

What is the point of the House? That comes secondly. But how can you debate in this House if you are asked to approve empty numbers and there is no information given upon which to base those numbers?

Mr. Speaker, I question whether,

in fact, the burden should be on members of the Opposition to enforce the Statutes of this Province. It would seem to me that the Minister of Justice or, indeed, the previous Minister of Justice, the current Government House Leader, would have an obligation as members of Cabinet to request that charges be laid if Statutes of this Province have been broken.

Now, is the minister saying that there were no Statutes broken? The Pippy Park Act is clear: Section 20 says 'the minister must table a report within fifteen days.' Now, I can understand if the report is not given to the minister that he might have some reason for not doing that.

MR. OTTENHEIMER:

He cannot do it. It is impossible, is it not?

MR. BARRY:

He should come in and stand up in this House and explain that he does not have the report and that, therefore, certain mechanisms should then be set in order.

Mr. Speaker, if we understand the minister, he made no effort after fifteen days to table the report from the previous year.

MR. TULK:

What about last year?

MR. BARRY:

That is the one. He made no effort to table last year's report after the fifteen days.

Mr. Speaker, we do not want the minister to comment upon an ongoing police investigation. That is not what we have asked. What we have asked is will the minister provide this House with

the information needed to determine whether we should appropriate \$1,236,700 which the Minister of Finance, I am sure, does not want to see spent unless there is a need for it. So unless the Minister of Public Works and Services can say, yes, that money is needed - in fact, he should go further and say it is sufficient - then, Mr. Speaker, this whole process is being bastardized, the whole process is being abused and this House becomes meaningless.

MR. OTTENHEIMER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. OTTENHEIMER:

Thank you, Mr. Speaker. A brief reply, if you will permit. To zero in on what the hon. gentleman for Mount Scio - Bell Island was saying, he was referring to a statutory obligation of the minister to table within fifteen days. Obviously that statutory obligation can only be operative if the minister has and can possibly do what is required that he do. So, if there is an obligation to table something within fifteen days and the minister does not have it, it is not the minister who is in breach of a statutory obligation, it may well be somebody else who was supposed to have given him that which is to be tabled. That may well be. But if the minister is required to table something within fifteen days and he does not have it, nobody has given it to him, then, obviously, he cannot do the impossible. I quoted it yesterday but my learned friend was not here then, and he is well familiar with the adage that nemo dat quad non habet. That is operative for the

Minister of Public Works. Indeed, I am told that he is the gentleman who coined that phrase earlier on in his life, when he was presiding over a lodge in which he, I think, raised to eminent heights. I believe he was the original coiner of the phrase, but of that I am not sure. There are others who say that it goes back to more ancient times, I do not know.

But, anyway, the hon. gentleman could not table what he did not have. I can see absolutely no question of a breach of privilege whatsoever, no prime facie case whatsoever. If there is anything inappropriate, then that is the subject of a police inquiry and also of an inquiry by the Auditor General, who is a servant of this House, and when those inquiries are over, then if there is any matter of a breach of privilege that is the opportune time, that is when it would be opportune, not now when the minister says he cannot, and I can well understand that, give additional information because of the police investigation and the investigation of the Auditor General. But when those are completed and the Auditor General's reports are public, then if there is any opportunity to endeavour to make a prime facie case of breach of privilege, that is the time to do it. Now it is premature and now, I would suggest, it is out of order.

If, upon the report of the servant of this House, the Auditor General, there are reasons to indicate anything inappropriate on the part of any member of this House, that is the time to bring forward the matter of privilege.

MR. SPEAKER:

I have heard two submissions on my

right and I know the Government House Leader spoke twice on the matter.

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

All right, I will hear the hon. the member for Fogo.

MR. TULK:

Very quickly the hon. gentleman is right that the Minister of Public Works and Services cannot table what he does not have. But it is by extension of this legislation incumbent upon the hon. gentleman to see that that report is done after December 31 and that he tables it in this Legislature fifteen days afterwards.

May I say to Your Honour that beside the fact that the police investigation has nothing to do with the duties of the hon. gentleman - I understand the police investigation is one week old - this report should have been in the minister's hands on the 2nd. of January, allowing for New Year's Day. Actually it should have been in his hands on January 1, and when the Legislature opened in March, it should have been tabled in this Legislature fifteen days afterwards. So fifteen days afterwards he was in breach of the privileges of this House. Not a week ago, not yesterday, not today, but fifteen days after this Legislature opened in March.

MR. SPEAKER:

To that point of privilege raised by the hon. the member for Fogo, number one the hon. member could have raised this before today, but that is not the point that I would like to rule on. It appears to me that the hon. member is asking the Chair to really interpret

The Pippy Park Act and when a particular report should be presented to the House. I would like to refer the hon. member to Beauchesne, page 38, Section 117, subsection (6): "The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege."

I think what the hon. member is asking me to do is to decide a question of law in this matter, and I do not think the hon. member has established a prima facie case.

### Orders of the Day

#### MR. OTTENHEIMER:

The adjourned debate on second reading of Bill No. 18.

#### MR. SPEAKER:

"An Act To Amend The Occupational Health And Safety Act". Debate was adjourned by the hon. member for Naskaupi (Mr. Kelland) who has eight minutes left.

The hon. the member for Naskaupi.

#### MR. KELLAND:

Thank you, Mr. Speaker. I do not know if I will require the full eight minutes, but, nevertheless, just a closing remark or two with reference to the Act To Amend The Occupational Health And Safety Act. Yesterday, you will recall, I did commend the minister on a fine piece of work in bringing in the amendment which is going to be meaningful to us all and I did go into a bit of an explanation of an incident which occurred in my district a couple of years ago. I would be curious to know, perhaps outside the Legislature at the first opportunity, if the minister

has had a chance to look at that situation and determine why claims submitted by workers who survived the accident have not been paid. I suggested in my comments that perhaps the reason why the claims had not been paid might have been because of the fact that in doing so government would put itself in a position of admitting fault or accepting blame for a terrible accident which resulted in the loss of life.

Now, I would like to suggest to the minister that he look into that and perhaps we can discuss it outside the House. Because I know of no other reason why claims would not be settled. If the claims have been determined to be legitimate, they obviously should be paid. We are now talking about almost two years and these people lost a considerable amount, I suppose, for any individual to lose in their personal belongings and, of course, more tragically, the loss of a fellow worker, which is distressing, a terrible thing. I would ask him to also determine if he will look into the matter to determine whether or not the rules and regulations and procedures have now been put in place, if not before that incident then following that incident, to ensure that nothing like that happens again, or to guard against the eventuality of something like that happening at a future time.

The other point I think which bears a little repetition is the fact that I made the point that no matter how good the regulations and the rules are and the training is with respect to safety in the work place, whether it is hazardous materials, or work practices, or the actual work environment, it would be important, I think, to make sure

the mechanism is there, the vehicle is there to ensure that these things are enforced. I made the point and it again bears repeating, I believe, that there is not much point in having a regulation or a law or a rule or a set of codes governing conditions in the work place unless there is a means by which they can be enforced. I would like to make that point as strongly as possible. All too often we see regulations put in place with all good intent. Obviously when you do something to protect people and to benefit people, the intent has to be good. But the determination should be equally strong to make sure that those particular regulations, rules and codes are carried out to the fullest extent, and a feedback or reporting system is put in place whereby in the event that regulations are inappropriate or incomplete that they be updated and upgraded, and where enforcement of the regulations approved in legislation is not being done that there is a form of feedback so that the minister and the government responsible is fully aware of the shortcomings in the system and will take steps to correct them.

Again, Mr. Speaker, I commend the minister on the legislation and I ask him to have a look to see if it is extensive enough. And if it has not gotten out into the areas, then I suggest that he take steps to do that. And ensure him again that when he brings in legislation and amendments to legislation which is of benefit to the people we represent in our Province, he can be assured of my support and the support of my colleagues. I look forward to additional legislation which will be of benefit to those people.

Thank you, Mr. Speaker.

MR. FLIGHT:  
Mr. Speaker.

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

MR. FLIGHT:  
Mr. Speaker, I must take advantage of this particular bill to draw something to the minister's attention. I have prepared no notes nor no speech, it is just something that occurred to me while listening to my hon. colleague, and it is as a result of an experience I had some time ago with people who brought the situation to my attention. As he knows, and practically everyone who has any kind of mechanical ability or the ability to do repairs on automobiles will know, there are four or five in every community, quite apart from the professionals, the major garages, who will provide the kind of protection that painters, for argument sake, will need, but there are literally hundreds of small, family owned body shops, one lane operation body shops. Now, I do not have the documentation in front of me to quote to the minister the technical names, but apparently the new kind of paint being used on automobiles - it is in a spray can - contains a substance that is very injurious to ones health. It can cause death under the right circumstances, but the biggest concern is the long-term effect that over-exposure or long-time exposure to the hardner and to the substances in this particular paint would have.

MR. HEARN:  
(Inaudible).

MR. FLIGHT:

Now, the Minister of Education would do well to run his own department, create some jobs and stop creating them on a patronage basis. The Department of Labour in Nova Scotia was concerned enough to start a public education programme and sent inspectors around and identified every single home industry - body shop, paint shop - using this type of new paint and advised them of the dangers. They gave them instructions as to how to use it and the type of equipment they should use, and told them, also, that now they are all aware, the Department of Health and Safety in Nova Scotia is looking at legislation that would force people to use these various materials, these paints, under the right kind of conditions to the extent that is possible to protect their health and protect them from the kind of lung related diseases that could occur in the future after long exposure to this type of mixture, this new hardner. I raise that with the minister and maybe he would want to check with the Health and Safety Division in Nova Scotia to find out exactly what the concerns might have been, because I suspect there are as many body shops in Newfoundland as there are in Nova Scotia. The minister will know first-hand that if you walk in and want your car painted in these small body shop, there is no protection but a little gas mask. By the way, this stuff is so potent it cannot be stopped by an ordinary gas mask, and they are recommending special apparatus if you are going to be exposed to it for a long time. I know that car painters in this Province are concerned, but they continue to do it because they have to make a living.

There are hundreds of little garages doing paint jobs whose employees and owners are exposed to this and it may create a problem, Mr. Minister. So it would certainly be worthwhile if the minister would take a look at the concerns the Nova Scotia government have, and not pay any attention to the Minister of Education who is concerned about nobody but himself, Mr. Speaker. I am concerned about the health of those people.

Mr. Speaker, it would not surprise me if the minister is not totally conversant with the issue I just raised, but I think it would be worthwhile if he had his officials check out what is happening in Nova Scotia relative to this to determine whether or not there is a threat to the people using this, and whether or not we can reduce the risk they are running if they have to use these new paints and the new hardeners that are on the market now.

MR. K. AYLWARD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

Thank you, Mr. Speaker.

Just some short comments, Mr. Speaker, on the bill. We welcome any improvements or regulations that will give a uniform standard respecting the work place. This bill is under the Minister of Labour's department, a bill that is talking about adopting national uniform standards. I would like to bring to his attention - and I would like him to respond - to what exactly is going on with the Worker's Compensation Appeals Board



that is being set up. I would like to know the status of that, because injured workers, the result of having accidents, is very relevant to occupational health and safety and to the minister's department.

I think it is a really good move to see the Appeals Board being set up, but I would just like to ask the minister to respond to what is going on with the status of the new Appeals Board: when they expect they will be having hearings, etc. I know they will have a lot of work ahead of them, because there are many people interested in getting a review done of their cases. I am very interested in seeing that come about in the very near future, and I am sure the minister feels the same. I would appreciate a status report on that, since it is relevant to the bill and to his department.

Also, Mr. Speaker, I would like the minister to give his comments on an idea I wrote him about a while back concerning an organization for injured workers. I am wondering if that can possibly be set up, with some funding. I think it would be an excellent idea for injured workers of the Province to, at least, be organized and to be able to, for example, have input into the drafting of bills on occupational health and safety which would result in regulations that would help protect workers of the Province.

I would like him, if he could when he rises, to talk about the idea of having an organization. Some people on the West Coast started one just recently. I have been talking to a number of them and they would like to see if they can

get the blessings of the Minister of Labour and his department, and the provincial government. I think it is a really good mechanism for bringing their views to the minister and to the Worker's Compensation Board, which deals with people after they are injured and so on. I would ask that the minister address those concerns.

Thank you, Mr. Speaker.

MR. BLANCHARD:  
Mr. Speaker.

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

The hon. the Minister of Labour.

MR. BLANCHARD:  
Mr. Speaker, it does not seem as though there is anybody else who wants to speak on this bill. It is a good bill and I rather expect that it has received the acclaim of the Opposition and, yes, I rise to conclude the debate on it, Mr. Speaker.

I would like to address a couple of the concerns that have been raised by members opposite. Yesterday the hon. the member for Fogo referred to the importance of eliminating accidents in the work place and, of course, this is one of the main thrusts of this bill. This bill is specific: It relates to hazards in the work place primarily through hazardous substances, chemicals and so forth, being either imported into the Province, into the work place, or manufactured in the Province.

I would like to impress upon members opposite, Mr. Speaker, that that is not the only area in which we are interested in the

elimination of accidents in the work place. We are always trying to improve the record, to eliminate accidents, and not just for the cost to the economy of the Province, to the public and to the employers who have to be assessed for the payment of benefits to claimants, but also because of the human suffering and trauma to human beings.

Mr. Speaker, perhaps I could address here the concern that was raised by the hon. the member for Fogo, and just a moment ago the hon. the member for Stephenville referred to the reorganization of the board and the establishment of the Appeals Tribunal. The reorganized board is operating. They have had orientation meetings and it is ongoing. I have not had nearly the concern that the board itself would take off and do the job that is required of them to be done as I have with the Appeals Tribunal, and the hon. the member for Stephenville is more particularly concerned with this.

The Appeals Tribunal was appointed in February. On February 16, I think it was, the balance of the act was proclaimed and the board has been put in place. I have a very keen interest in it in that it was one of the first problems that I addressed relating to Workers' Compensation in this Province and to problems of workers, of claimants, who have the misfortune of accidents.

Approximately a week ago, Mr. Speaker, I sat down with the Tribunal, told them of my concerns that the system would begin operation, that they would commence hearings as soon as possible, and that they would get staff in place. And while I am not at liberty, Mr. Speaker, to

say where we are at the moment in terms of recruitment of staff, I can assure hon. members opposite that I am pushing for that to get moving as soon as possible.

Now, as far as the Tribunal is concerned, I have been looking around. We are always anxious to know of the experience of other provinces, what pitfalls they have run into and how they have overcome those pitfalls. I, personally, sat down with the people responsible, with the Chief Executive Officer of the Appeals Board in Nova Scotia. About two weeks ago I sat in on an actual hearing, on an afternoon, to find out how they conducted their hearings, what their system worked like, and it was a good experience. I think we can all learn from each other in that particular area.

I might say, Mr. Speaker, and I say this with some degree of pride, that our Occupational Health and Safety Act is perhaps the best of any Occupational Health and Safety Act in Canada. Again, we had the benefit, I guess, of the experience of the couple of lead provinces in Western Canada, Alberta and Saskatchewan, and we have benefitted, perhaps, from errors that they made in the beginning. In reality, as I said before, this is a specific piece of legislation, it is not an amendment to improve the act from an administrative point of view, nor is there a defect in the act. This is to bring onstream a new concept, a new programme to deal with a specific hazard in the work place, the handling of hazardous materials and the kinds of -

MR. TULK:  
Sit down.

MR. BLANCHARD:

The hon. member is telling me to sit down. I thought Mr. Speaker, he was sincere yesterday when he was asking me questions about this. I thought he really had the welfare of the work force at heart and he was really asking sincere questions, but he is talking over there and he suggests I sit down. He is not really interested in the work force.

MR. TULK:

(Inaudible).

MR. BLANCHARD:

Mr. Speaker, I was particularly cognizant of what the hon. the member for Naskaupi raised, the question of an unfortunate accident which resulted in the loss of life in Churchill Falls. I guess all I can say is that there is nothing, perhaps, that this particular bill may have that will impact on that, but within the framework of the legislation we have, within the framework of the regulations, we are cognizant of that type of thing and I will, as he requested me to do, have my officials look behind that with particular reference to his request about the difficulty with the payment of claims. If there is any negligence or any oversight on the part of somebody, I will be very happy and quick to move to try to have something done about that.

Mr. Speaker, the member for Buchans raised an issue with respect to spray paint. I will certainly take note of what he is saying about spray paint in the work place perhaps not under proper supervision, perhaps home jobs, and I will bring that to the attention of my officials. I do not know if it is just spray paint. All aerosol cans, I

understand, have an element of danger. I have read and I have been told that they may be detrimental to the ozone layer and that kind of thing, but I am not going to get into that, that is rather technical.

Mr. Speaker, I do think there is any need to prolong this. There is nothing to argue with in a bill such as this. I do want to say once more that we are a leader in Canada on this particular bill, and we have been leaders in occupational health and safety. The hon. member for Fogo does not like to hear this. He gave me some pretty good praise yesterday, Mr. Speaker.

MR. TULK:

Oh, guaranteed!

MR. BLANCHARD:

He knows that I am doing a good job and I will continue to do a good job. I am very happy, Mr. Speaker, to close debate on this very important little bill and to get it into operation - very important! It is small in terms of size, but, as I said, very important in its significance to the work force.

Thank you very much, Mr. Speaker.

On motion, a bill, "An Act To Amend The Occupational Health And Safety Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 18)

DR. COLLINS:

Order 13. Bill No. 19.

Motion, second reading of a bill, "An Act To Amend The Emergency Measures Act". (Bill No. 19).

MR. SPEAKER:

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

Thank you, Mr. Speaker. The purpose of this bill is to seek approval for the transfer of the Emergency Measures Organization, EMO, from the Department of Justice to the Department of Municipal Affairs. The rationale for that is that one of the main functions of EMO is planning and preparation for disaster, and that involves a very close liaison with municipal government in Newfoundland in the preparation and testing and implementation of emergency plans. Additionally, Your Honour, most natural disasters which occur in Newfoundland have an immediate impact upon towns and communities in the Province, and that was true, of course, when they had the disaster in Bishop's Falls when the Exploits River flooded its banks, and it was also true in Labrador West when the power outage occurred.

In actual fact, the Director of EMO spends more time in day-to-day communications with the mayor and the various communities than he would with the Department of Justice. Also, a canvas of the four Atlantic Provinces revealed that Newfoundland is the only Province where the Department of Justice has responsibility for the operation of EMO. In the other jurisdictions: In New Brunswick, EMO falls under Municipal Affairs; in Nova Scotia, it is with the Minister of Housing; and in Prince Edward Island the Department of Community and Cultural Affairs is responsible for the operation of EMO.

It is felt, also, that a transfer of EMO to the Department of

Municipal Affairs would provide a more rational approach toward meeting the needs of both the Province and the municipality in a mode which is separate and distinct from the Department of Justice's general mandate to provide law enforcement and protection.

It is considered, also, that the transfer of EMO to Municipal Affairs would send a clear message to municipalities that the department is directly interested in planning for emergencies and disasters in the community.

Mr. Speaker, it is not a very lengthy bill. It only has a couple of clauses in it. Clause 1 provides that the minister would be responsible now for EMO when the transfer comes about. Clause 2 provides that the Attorney General would be responsible for the auxiliary police who would be seconded in times of disaster and emergency. Clause 3 would provide for the commencement to the bill to coincide with the beginning of the new fiscal year. There are no financial implications involved in the thing. It is a fairly straightforward and simple bill.

MR. DINN:

Who would have the power to second?

MR. DOYLE:

The minister, of course.

MR. GILBERT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Burgeo - Bay d'Espoir.

MR. GILBERT:

Thank you, Mr. Speaker.

Anytime I see the minister stand

to speak in this House or to introduce any legislation, I immediately become suspicious. The department that the minister is in charge of, we all know, is the pork barrelling department in the present administration and it is becoming ever moreso.

The principle of transferring EMO to the Department of Municipal Affairs, I think, is a good one. As a former member of municipal government, I agree. I was close to the Bishop Falls one when the disaster occurred. I realize that emergency measures is a vital part of government and that the administration of it by the Justice Department could be cumbersome at times, when we realize that the Emergency Measures Organization works more closely with the towns than they do with anyone else. So, in this matter I think the principle of the bill is good.

Now that it is in the Department of Municipal Affairs, how are they going to be able to make it political? This is the big situation that always arises in the Department of Municipal Affairs: How can we make political patronage out of the Emergency Measures Organization? How can we turn that into a plum for some of our friends and supporters? That is the whole project that government has on its mind, particularly the Department of Municipal Affairs.

Every action that arises in that department has a political connotation to it. The bill, as I say, in principle looks alright, but what is the political reason for this move? Is it a case that the Liberal towns are not going to be provided with the service of this department right now? Is it

going to come down to that, and the justification will be that the minister is able to say, 'Well, really we go on the basis of greatest need. I will set up another committee to study it to see if there really is a need for emergency measures in this town, but there is not, because the town voted Liberal in the last election.'

MR. TULK:

With EMO under his control, if a Liberal town sinks there will be nothing done.

MR. GILBERT:

That is not really the point. The point is that emergency measures are set up by each of the towns with the idea, hopefully, that there never will be a disaster. But the facat is they are there. It serves the same purpose really as the fire department in a town, and now that it is under Municipal Affairs, efforts should be made by the minister and his department to ensure that every community in Newfoundland does have an emergency measures plan in place. I notice that it is not stated here that that is the intent of this. Again, the thing I have some grave doubts about, Mr. Speaker, is that now we have this in the government pork barrelling department. I suppose all departments are pork barrelling departments, but this one is more blatant than the rest of the departments and has a chance to use its political partisanship a little more than the normal government department. You see, what frightens me is that initially the funding for water and sewerage and road paving, the 60/40 per cent grants in the towns throughout the Island, was not given on a political basis up to seven years ago, and this is a

documented fact that you can check with any of the town managers in any of the towns in Newfoundland who will tell you that until this present government took over, under the present leadership, municipal funding was done on a priority basis and on a needs basis. Seven or eight years ago, when I was a member of council in Grand Falls, the member for Grand Falls got up and made a statement that the town had been given money for street paving and money for water and sewerage. I heard one of the town officials say, 'My God, that crowd have now made municipal grants into political patronage.' It was never done before. Now we see, as my colleague from Windsor - Buchans just said, the blatant way that it is done. It has gotten to the point, like anything else that is started of, I suppose, of we will help our friends and then -

MR. DOYLE:

Be relevant to the bill.

MR. GILBERT:

I am getting to the bill. Mr. Speaker, when municipal funding started to be become a political thing it was under the present minister. Now, we find they are going to put emergency measures under this. So carrying it to the degree I should, the community of Windsor has not received funding for the last few years while its neighbor, Grand Falls, which really has not got the same needs as the community of Windsor, has reaped the benefits of having a Tory member, to the detriment of the taxpayers of Windsor. There has been blatant political patronage. Now what is going to happen in a town in a Liberal district that wants to set up an emergency measures organization? It is the responsibility of the

town to come to government for assistance in setting up an emergency measures plan for the town, and what I am afraid of, Mr. Speaker, is the fact that with this new law that government has fallen to in Newfoundland, with the political patronage at the level that it is, that if a town in a Liberal district contacts the now Department of Municipal Affairs stating they want to have the services of someone from the emergency measures branch of that department to come out to provide them with information, they will find there are no funds available for this man to travel. So, this is very much of a concern and it is one that I feel should be looked at and pointed out.

Now, the act provides that the Minister of Municipal Affairs would be responsible for the administration of emergency measures in the Province. I would not debate that too strongly, I think it is a good and sound policy. The only thing is I have some grave doubts about giving it to the minister with the record that he has in the administration of this Province; we see it in the distribution of municipal grants. On a per capita basis throughout this Province we know it is \$75 per capita for Tory districts and \$20 per capita for Liberal districts. So anything that is changed or becomes the responsibility of this Department of Municipal Affairs I become suspicious of, as I am sure the rest of the people in Newfoundland will when they realize the grave situation we are creating here. Emergency measures are very important and, as we pointed out, when a disaster occurs the fact that you have an emergency measures plan in place is vitally important since it is there to

provide safety, to save lives and to minimize the loss.

So that is no problem. The only thing that I am concerned about is will the minister guarantee that, yes, there will be equality this time. He has said this before, so I do not know if the guarantee is good enough. You know, equality in giving out the grants. He told the Federation last year that this year he was going to set up this committee to study and to make sure that municipal funding was done on a fair and equal basis, and on a priority basis. Well, we saw that that was a fallacy and the minister really did not mean what he said, he skated around it and the recommendations of that Board were never made public. So I wonder now what is going to happen, what is going to be the priority list of his department? Say, for example, there are some towns in a Liberal district that do not have an emergency measures plan in place and they contact the Department of Municipal Affairs and say, 'We would like to have your help in doing this.' What is the minister going to do? Is he going to say, well, you are in a Liberal district, or you are too far away, or you are on the list? No doubt it will be the minister's favourite, 'You are on the list.' He will be able to say, Yes, you are on the list, and we will send our man there sometime. Now, it might be in five years time, because we have just set up another committee within my department to make up a priority list for sending this man around the Island. Now, it is only a small department, so we have to make sure that we put it on a priority list. And his priorities, as we all know, are based on a political basis rather than on a practical or a needs

basis.

The Minister of Municipal Affairs, I suppose, has the worst record of political patronage of anyone. He is blatant. He can sit there in the House and smile when we talk about political patronage. He has the gall to smile. After saying he was going to appoint a committee to handle municipal funding this year, they slithered upstairs in the Cabinet Room and they put it out by Order-in-Council. If the minister really wanted to show his good faith in this bill he would make the records of this committee that was set up available to show the priority basis for municipal funding in Newfoundland. If he wanted to show his good faith and prove to us all that finally municipal funding was going to be handled on a needs basis, maybe he would undertake to make the minutes and records and recommendations of this committee to Cabinet public.

MR. PATTERSON:

Liberal districts have three times as much as I have, and I am in a Tory district.

MR. GILBERT:

For the member for Placentia, on a per capita basis in the Tory districts, per person in the districts?

MR. PATTERSON:

I am not quite sure.

MR. GILBERT:

The member is not quite sure. It works out to \$75 per person in a Tory district. That is the funding that was provided by the Department of Municipal Affairs.

The same department provided \$20 per person for people in Liberal

districts, and that is where the problem lies. And this why I become very suspicious when anything comes under this minister's department.

The principle of the bill is very good, but the practicality of it is not, because I do not think the minister can administer it fairly. The thing we must try and protect in this House is the fact that everyone in Newfoundland gets their fair share from the Department of Municipal Affairs. But that does not happen, and what frightens me is that there are towns in Liberal districts that do not have an emergency measures plan in place right now. Will the minister show his good faith by making the priority list for funding available that was recommended this year? If he can come up and say I accepted the recommendations on the priority list. It was given to me by my officials and I accepted it, then we would have no problem with saying yes, this is fair and the department is being managed in a prudent and judicious way. Now the problem will be solved, no more will Tory districts get a better break than Liberal districts. It will be done on a priority basis. That is all we ask on this side, Mr. Speaker, that the minister administer the Emergency Measures Organization in a different way than he does the dispensing of municipal funding.

I notice that the auxiliary police force is still under the Attorney General, the auxiliary police force related to Emergency Measures in the areas which set them up. This is a good idea and should be carried on, because I understand there is certain equipment that they are issued, and things like that, and I would

hate to have them in the Department of Municipal Affairs where, again, they would come under this blatant, political, partisan distribution of goodies that the minister has made into an art form. The distribution of municipal funding has reached a higher art form.

DR. COLLINS:

A higher plateau, is it?

MR. GILBERT:

I would not be surprised, but I can assure you right now that the art form that the minister has perfected is the distribution of political goodies, and he will be remembered in this Province after the next election for the way that he administered funding in the Department of Municipal Affairs. His name will be forever remembered for his contribution to political patronage in Newfoundland. His name will go down with fellows like Peron from Argentina, and people like that, for the distribution of political goodies. That is the contribution that minister is making.

MR. LUSH:

Dave, if there was a forest fire in a Liberal district, would they evacuate? That was the next point I was going to make. Last year there were forest fires around. I wonder how fast the minister's department would react if it was in a Liberal district as opposed to a Tory district? And why are we suspicious? We were made this way. We were not suspicious a few years ago, when I first came to this House, I thought everybody got a fair distribution. Since I have been here I have learned a whole new series of things: There is no equality. And equality is for people who have the power. That is the same theory that



Hitler and all dictators have used down through history: We get equality because we have the power.

Distribution of funds is not equal, so now when we come -

MR. PATTERSON:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. DECKER:

He is not in his seat, Mr. Speaker.

MR. PATTERSON:

It will not take me long to get there.

MR. TULK:

He should know better. He has been here long enough, I will tell you.

MR. PATTERSON:

It is a bit sickening to hear the hon. member talk about equality. You should talk about equality when you are giving one leadership candidate in your party a couple of hundred thousand dollars to run, and not one penny to your colleague over there, who has been with you for years. Where is the equality? Where is the Liberalism? Answer that one.

DR. COLLINS:

A good point of order, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. GILBERT:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the member for Burgeo - Bay d'Espoir.

MR. GILBERT:

I am glad to see finally the member for Placentia come out for the common man. It is the first time I have heard him -

MR. PATTERSON:

It is no trouble to know that you are one of the common men.

MR. GILBERT:

- come out for the common man. It is good to see a Tory come out for the common man.

MR. PATTERSON:

You are not out for the common man, you are out for Wells.

MR. SPEAKER:

Order, please!

MR. GILBERT:

I am telling you that when the common man has a defender like the member for Placentia, where else is the common man going to go but up, and I am not going to say up where.

MR. PATTERSON:

You had to get a capitalist to lead your party. Where is the leader of the toiling masses today?

MR. SPEAKER:

Order, please!

MR. GILBERT:

Mr. Speaker, we have finally heard the arch Tory of all time calling down capitalism, the thing that his theory has been based on, his creed has been based on, on capitalism.

MR. PATTERSON:

My theory is honesty and fair play.

MR. GILBERT:

And capitalism. He now attacks capitalism, the backbone of his party.

MR. TULK:  
Look at the old terrorist. Look!

MR. SPEAKER:  
Order, please!

MR. GILBERT:  
He is not anymore. He is going to join the hon. gentlemen here to my right. He is going to join them now. He has now gone to the left. I would not be at all surprised, after the statements he has made here this evening, if he is sitting over here tomorrow, a terrorist who has gone to the left.

DR. COLLINS:  
On a point of order, Mr. Speaker.

MR. SPEAKER:  
A point of order, the hon. the Minister of Finance.

DR. COLLINS:  
The member is obviously being irrelevant. He is talking about elections, where people are sitting and all that sort of thing. He is totally out of order. He is supposed to be talking on emergency measures.

MR. GILBERT:  
To the point of order.

MR. SPEAKER:  
To the point of order, the hon. the member for Burgeo - Bay d'Espoir.

MR. GILBERT:  
I was trying to respond to the gentleman for Placentia who has had a political change of heart. He has gone from being arched right wing, well to the left of center.

MR. PATTERSON:  
All I want is fair play, and it is not fair play for Baker to get no money and for Wells to get a

couple of hundred thousand dollars.

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

MR. SPEAKER:  
A point of order, the hon. the member for Fogo.

MR. TULK:  
I hate to interrupt my friend for Burgeo - Bay d'Espoir but the hon. gentleman opposite keeps interrupting and I would ask Your Honour to name him if he keeps it up. Now, I know how disappointed and how frustrated the hon. gentleman is because he has sat in the back benches of the Tory Party for years and years and the Premier refuses to put him in the Cabinet. He is over there now gray, worn, frustrated, fatigued, eating his heart out, Mr. Speaker, and he chooses to attack my friend for Burgeo - Bay d'Espoir.

MR. PATTERSON:  
I am not attacking you.

MR. TULK:  
Mr. Speaker, I am making a point of order and just look at him, he cannot control himself. Perhaps what he should do is clean his own house, go down to Mr. Ryan and Mr. Dobbin and ask them about the trust fund that has been set up for the hon. gentleman who occupies the chair of Premier.

DR. COLLINS:  
To that point of order.

MR. SPEAKER:  
The hon. the Minister of Finance to the point of order.

DR. COLLINS:  
The Opposition cannot find anything wrong with this bill so they get off with these irrelevancies, attacking the

member. He is the quietest member in the House. If he cannot say anything about the bill, I think he should let the minister close the debate.

MR. SPEAKER:

To that point of order, there is no point of order, just a difference of opinion between two hon. gentlemen.

I am going to ask the hon. member for Burgeo - Bay d'Espoir to be relevant in his speech pertaining to the bill.

The hon. the member for Burgeo - Bay d'Espoir.

MR. GILBERT:

Mr. Speaker, we just heard the member for Placentia (Mr. Patterson) give his theories on government and he has changed his political philosophy.

In regard to the bill, we have grave concerns about anything that is transferred to the Department of Municipal Affairs. That is the point of my comments on this bill, Mr. Speaker. Anything that this department is given it turns it immediately into a political partisan distribution.

So I am concerned that now the Emergency Measures Organization will reach this level. Before it was rather a low-key department in the Department of Justice and did a reasonably good job. Now I have some concern because of the direction that the people who are transferred are going to get.

I would conclude by saying that we notice the minister said there are no finances involved in it. It is not a financial thing, is it?

MR. DOYLE:

No financial implications.

MR. GILBERT:

No financial implications. Well, the only thing about it is I would say there are financial implications in the fact that the operation of that department is there in his department. He can make it a financial thing when it comes to providing this service to Liberal districts. That is my whole point. Everything else that he has ever done in his department has been a political partisan agreement or arrangement. So I would say that this will come under that same broad policy of political partisanship.

MR. K. AYLWARD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

Thank you, Mr. Speaker.

What a pleasure, Mr. Speaker, to speak to this bill today. I concur with my colleague, Mr. Speaker, who was quite good in his remarks to the minister and to the government side even though they did not understand the measure of what he was talking about. I want to say that I concur with his remarks.

Mr. Speaker, while I am very happy to see it going into the Department of Municipal Affairs, I am quite concerned as to what kind of priority it is going to have with his department. In my area, out in Bay St. George on the West Coast of the province, Mr. Speaker, we have a group of people out there who have worked very hard over the last three to four years, a ground search and rescue

team of forty-one members, who have raised money on their own, who have bought their own equipment, who have put proposals forward to the provincial government and has seen them fall on deaf ears.

I hope that now that the Minister of Municipal Affairs has taken over the responsibility of EMO he will respond to those responsibilities, take them wholeheartedly and try to deal with the problem these organizations are having with access to equipment and proper funding.

Mr. Speaker, a proposal put forward by the organization from the district which I represent is for a joint emergency planning and priorities organization. They have put a proposal over the last six or seven months to the provincial government, Mr. Speaker, to the Department of Justice, which told them then to put the proposal to the Department of Municipal Affairs. Now, they sent that proposal in and the response from the deputy minister on January 29, 1987 was that they did not have any funding and that it could not be granted due to the fact that his department's budget does not provide funding for such programmes, "nor, to my knowledge, have funding or cost-sharing arrangements been approved for this programme by the federal or provincial governments. I suggest you retain possession of these proposals until such time as a funding agreement is reached."

This was a response from the Deputy Minister of Municipal Affairs to a proposal made by Stephenville, by the area, a proposal made by the organization out in my area, and the Department

of Municipal Affairs four months ago or five months ago did not know about any funding programmes and did not know or did not want to accept any responsibility for this organization. Now they are being given the responsibility, Mr. Speaker, and I am just wondering are they going to take it and shove it off to the side or are they going to do something with it.

The proposal put forward, Mr. Speaker, by the organization in my area is quite lengthy, quite good. It gives some statistics on the training of these people. There are four or five organizations around the Province which I feel are very important to the Province. They are very important to the police who have to go searching for people and so on.

Some of the training, for example, that some of these people have done is shown here. The Bay St. George organization are all senior St. John Ambulance people; two members per team are CPR training people; all members have eight months of basic training plus continuous ongoing training; all members have a canoe course Level I and some Level II; all members are trained in hypothermia techniques; all members have map and compass training; all members have knowledge of shelter and camp procedures; some members are cross country ski instructors; all members are versed in snowshoeing and are also excellent woods people.

That is just an example of some of the training that they have been doing on their own while trying to get provincial monies. This organization and these organizations are all volunteer,

have not got a dollar of provincial government money and, in many cases, they have their own banquets and so on to try and raise dollars. I think it is time now that it is under another department I would hope that this government will respond to these organizations around the Province and put forward a policy. I hope that the minister will clarify this when he stands that they will now have or will be allocating funding to these organizations who seek it because I feel that they should be supported to the hilt, as much as possible.

They are professional people who take their job very seriously and have saved the lives of some people in many areas, Mr. Speaker. They are called upon in times of emergency. Unless this government decides to provide some sort of help to them, many of these volunteers, who give so much of their time and hours and finances, are going to find that their energy may be wavering after a while.

Just bringing in a bill is nice and dandy, Mr. Speaker, but you also have to act on the bill. You have to have a policy which will see monies allocated for these volunteer groups which perform such an essential service in this Province.

I have some examples, Mr. Speaker, of some of the things that they are looking for and some of the costs that they incur. At the present time this organization in Stephenville, the Bay St. George Ground Search and Rescue, have snowmobiles of approximately \$700 to 800; they have snowshoes, \$4,800 worth; they have cross country ski sets; Mr. Speaker, they have canoes and each many has

personal equipment in excess of \$300. So they have thousands of dollars of equipment which they raised money for on their own, but they are in need of further funding to make them a more effective organization to protect the people of the Province.

I am pleased to see Municipal Affairs will now take the responsibility for EMO and thus take the responsibility for ground search and rescue in the Province, but I wonder about the commitment that will be given to these organizations now that they have been taken under the wing of Municipal Affairs. To date we have seen very little in the way of financial support, Mr. Speaker.

I think it is time that the government recognized these people for the services that they perform, for the preparedness that they have achieved, for the accomplishments that they have been able to make. We should be proud to have them around the Province and we should be showing our pride, Mr. Speaker, by providing some source of funding where they do not have to spend their own money and incur all their own expense to get trained and to have the proper equipment, which is important for these people to carry out their job of locating people who may be lost and so on.

We have a big Province and many times we have emergencies in different areas of the Province. These people provide an invaluable service, Mr. Speaker, to the Province. I am concerned, with a lack of financial support, many of these people will waver in their enthusiasm. You will also see, Mr. Speaker, many - and I have

talked to some of them, especially from my area - they are very concerned because there are some federal monies available. However, they need the support of the provincial government to access those monies.

So I encourage the provincial government to more than just bring in the amendment and say that you are going to take it under your jurisdiction, but to go and voice your strong support for the organization around the Province so that they can obtain the proper funding to carry out a proper programme of training and to have the proper equipment with which to do their work. They are very important. If we are talking about bringing people into the Province for tourism and everything else, Mr. Speaker, these people will be extremely important in the future. If we are talking about guides and so on and hunting and all these types of things that go on in this Province, these people are very important. They are professionally trained. They do a lot of it on their own, and it is time that they got the support that they justly deserve, that they need, and that they have not been getting over the last number of years.

They have tried very hard. I have correspondence here that I have written to the minister and that other people have written to the minister and, especially the Minister of Justice. There has been more of a proverbial runaround as to who has the responsibility for EMO, and who has the responsibility for providing the funding. At least now we have a department that is going to say, 'We are responsible,' and try to do something with it.

I hope that they will take it very seriously and deal with providing a few dollars, Mr. Speaker, at the very least some dollars, to these organizations because they do provide an invaluable service. They mean a lot and they contribute a lot to the areas. They have a very high sense of community involvement and community spirit. I know that in the area I represent they have been very active with a number of organizations and have put on a number of displays and shows to show their preparedness.

As a matter of fact, the Bay St. George Organization, Ground Search and Rescue, has put together a plan for emergency planning for the town of Stephenville and for outlying communities. A lot of this work has been done by people who are very committed to this organization and I would ask the provincial government not to just take the bill and bring it in, but to also indicate whether or not funding will be forthcoming for these organizations. They work very hard, they are volunteer, and they have raised a lot of money, but it is time that they got some support.

Mr. Speaker, I think my points have been made to the minister. I hope that he will take them under consideration. I look forward to an answer to my correspondence that I sent to him on April 15 and look forward to seeing funding being provided for this ground search and rescue team which is so important to this Province.

Thank you, Mr. Speaker.

MR. HISCOCK:  
Mr. Speaker.

MR. SPEAKER:

The hon. the member for Eagle River.

MR. HISCOCK:

Thank you, Mr. Speaker.

I am glad to see that the Minister of Municipal Affairs is here, and I am also pleased that we are transferring EMO from the Department of Justice to the Department of Municipal Affairs. My only concern, of course, is that his department is known as one of the most blatant political patronage departments in this government. When EMO does go under it, equipment and training centers throughout the Province, hopefully, will not be put into P.C. districts only.

I see that the minister is leaving, but I hope that he will listen to what I have to say. One part that I want to bring out in particular is with regard to fire fighting equipment in this Province. Mr. Speaker, we have had requests for over \$7 million for fire fighting equipment in this Province and only \$2 million is allocated in the budget.

Now we are seeing Bill 19, An Act To Amend The Emergency Measures Act, to transfer EMO from the Department of Justice to Municipal Affairs. We have seen in the Department of Municipal Affairs where you have the programme of 75/25 for fire fighting equipment. We have seen great devastation in this Province with schools burning down in Nain and Davis Inlet. We have seen houses along the Coast of Labrador burning down. We saw an example of arson in Port Hope Simpson where a person lost his business as a result.

In those smaller communities along the Labrador Coast, Mr. Speaker, they do need an Emergency Measures Organization and they do need fire fighting equipment. We have had people who were lost out on the ice in St. Lewis for over six days. We have had people who had to spend overnight in the wilderness. We have had accidents happen in the isolated areas of Labrador.

I would say to the Minister of Municipal Affairs that when he is announcing his budget of \$2 million for firefighting equipment, I would hope that he would take into account that the isolated areas of Labrador do not have the luxury of being connected with roads, and as a result, when firefighting equipment is needed, then they have no where to turn. In St. Anthony they can go to Cook's Harbour or to Raleigh or in St. John's they can go to Pouch Cove and Torbay and Bauline and other areas around St. John's. Firefighters in Grand Falls and Gander can go to Glenwood and Exploits and other communities. But if there is a fire in Port Hope Simpson or in Charlottetown or in Cartwright or in L'Anse Loup where there have been several deaths over the past several years, there is no where to go. Also in the past several years the communities on the Labrador Coast have applied each year for this cost sharing programme to get firefighting equipment, to get suits, to get the extra pumps. The federal government, through the initiative of the Development Association and myself and the MP, a majority of them now have fire halls for their equipment. But unfortunately, Mr. Speaker, the majority of them have fire halls to house these pumps and equipment, but they do not have

any equipment to go in them.

So I again ask the minister how can he explain that when a community like St. Lewis, Labrador applies for firefighting equipment in the past four years and each year they are told, 'Well, we ran out of money, but you will be on top of the list again next year?' And then next year comes and they are told again, 'We ran out of money, but again you will be on top of the list again next year.'

So I would ask the minister, is he taking into account that the lives on the Labrador Coast are just as important as the lives in his own district or the lives in the Premier's district or any other area? In the next three or four days it is going to be decided which communities are going to be successful in getting these small pumps and these hoses and fire trucks.

AN HON. MEMBER:

What about Cartwright?

MR. HISCOCK:

Cartwright did get a fire truck last year. Cartwright had a fire truck before and that needed to be replaced. The minister is aware that when CBC was in Cartwright doing a story on closing down the Coast Guard Station there, and a fire happen to take place, CBC did a story on how isolated these communities are, and if the fire takes a school or a community hospital or the fish plant, the end result is, the attitude is, let it burn, and try to save the existing property around them. You have a snow bucket parade or a water bucket parade, basically throwing shovels of snow up against the buildings. It is very difficult to contain a fire in a school by using buckets and

shovels.

MR. DOYLE:

What percentage of our firefighting vote last year went to Liberal districts? What percentage?

MR. HISCOCK:

It has nothing to do with what percentage. The point I am making, Mr. Speaker, to the minister is how can he put two and two together? How can you have the community of St. Lewis, Labrador, apply four years in a row and each year be told they were going to be at the top of the list? That is what I am saying.

AN HON. MEMBER:

Be relevant.

MR. HISCOCK:

It is relevant. This is the Emergency Measures Act. What is more relevant with EMO legislation than a school down in Davis Inlet burning down or the loss of life in Cartwright, or the loss of life in L'Anse-au-Loup or in Charlottetown? So I would ask the minister now, and I am bringing up the fire fighting equipment there because the fire fighting equipment can be used to contain forest fires that almost wiped out Port Hope Simpson.

AN HON. MEMBER:

You are talking to the galleries.

MR. HISCOCK:

I am not talking to the galleries. I am talking to the common sense of the minister, and hopefully the minister will realize that the communities on the Labrador Coast are isolated and it does not matter whether he gives money to this district on the Island or any other district on the Island, these are



interconnected by roads and they can get fire fighting equipment to come from St. John's, to go down to the Goulds or Trepassey, or any other area in the Province, like Corner Brook or Central Newfoundland. If there is a fire in Red Bay, if there is a fire in Mary's Harbour, a fire in Port Hope Simpson, then there is no interconnection.

If these communities are not given sufficient fire fighting equipment, then you are putting their lives in jeopardy and you are treating them as second class citizens and saying, 'Well, we gave Cartwright a fire truck last year so all of Coastal Labrador shut up, do not complain because we gave you a fire truck.' The fire truck in Cartwright, Labrador, the people are thankful for it, but they rightly deserve it. But the people in Fox Harbour and Port Hope Simpson and Williams Harbour and Pinsent Arm and Red Bay and Forteau and L'Anse-au-Clair, that fire truck cannot get to them, whereas the fire truck in St. John's can go almost anywhere if there is a major fire or emergency. So I would ask the minister again, when he is awarding this \$2 million, take into account the isolated areas of Labrador.

I hope again with Bill 19, An Act To Amend The Emergency Measures Act, that we will see the minister be a lot more forthcoming in seeing the need to expand and need for more training in our Province, and hopefully we will see it upgraded.

I remember almost last year, Mr. Speaker, they had the Emergency Measures Act and they had a disaster planned for St. John's at the airport. All the hospitals

and all the fire departments and the policemen were involved with this emergency exercise. It was amazing what they found out in that exercise. Number one, there were not enough blankets; number two, if there is an emergency in this city, we do not have the proper equipment. Many of the hospitals and the ambulances, as well as the fire fighting equipment, were not all co-ordinated. Everybody was going at everything in different directions. The Red Cross was also involved and they found out during that exercise that all is not well with a plan for emergency measures here in St. John's.

I know in Labrador some of the communities have been drawing up plans under the Emergency Measures Act. I would hope that this continues in the Province, that we will have sufficient staff to go around our Province and to train our people in emergencies. I can think of ship wrecks all along the Labrador Coast. I can think of plane crashes on the Labrador Coast as well, and as I said, other disasters have taken place.

Hopefully the minister's department will have sufficient funds in the EMO Measures Act. I hope also tying fire fighting equipment into Emergency Measures will be good. If I am correct, the people who decide who should have this fire fighting equipment is the Chairman of EMO, a person from the fire department, and a person from the Department of Municipal Affairs. I cannot understand why these gentlemen keep turning down requests from isolated areas of Labrador.

We know what happens, Mr. Speaker. There is political interference. If you had to go

around on the government side and look at the Cabinet ministers and look at the backbenchers and how many pictures are in the paper with regard to ministers and backbenchers having pictures taken with fire trucks, I would say almost everyone over there has a fire truck and a picture of it.

MR. DOYLE:

I always ask my colleagues to come along when I am presenting a fire truck, like the member for Terra Nova (Mr. Greening).

MR. HISCOCK:

Very good! I would ask the minister when he talks about the fire truck in Cartwright, maybe he can intervene and contact CN Marine to make sure that the fire truck is on the first boat going into Cartwright. He is saying that Cartwright has a fire truck which was given last year, but it has not been delivered as of yet to that community. So that is how useful that fire truck is.

MR. DOYLE:

Sometimes it takes a full year to get delivery of it.

MR. HISCOCK:

Well, exactly, but the thing is, let us see if we can get it on the CN boat going down there.

I hope that the minister will allocate sufficient money for some of these smaller isolated communities. The Minister of Education (Mr. Hearn) was in St. Lewis for a graduation. He did an excellent job, by the way. One of the things he can point out is the need for fire fighting equipment in St. Lewis. Now that they are sitting next to each other, hopefully the Minister of Education will say to the Minister of Municipal Affairs that the

people in St. Lewis deserve fire fighting equipment.

So in concluding, Mr. Speaker, Bill 19, The Emergency Measures Act, I hope that the minister will have sufficient funds for that department to expand and also have sufficient money to get more fire fighting equipment in this Province. It is a serious matter.

All the municipalities in this Province are only asking for \$7 million, and surely \$7 million, when it comes to protecting property and life, should be one of the main programmes of this government. If I am correct, the new building that we have now, the Annex to the Confederation Building, we are not getting that insured because a lot of the public buildings in this Province are not insured. Hopefully, all these volunteer fire organizations and all these communities protecting your schools and your hospitals and your fish plants that you own, they are putting their lives in jeopardy and all they are asking is that when a fire takes place, hopefully they will be given something much better than a shovel or a bucket to be able to preserve millions of dollars worth of public property that is in these communities.

Thank you, Mr. Speaker.

MR. KELLAND:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Naskaupi.

MR. KELLAND:

Thank you, Mr. Speaker.

It is a pleasure to rise for a few minutes, Mr. Speaker, and address

this very vital piece of legislation, very important piece. Again, it is almost the second time in a row, I suppose, I get the opportunity to commend the government for being responsible and bringing in something that is meaningful to us and which will, I believe, because of the direct involvement now of the Department of Municipal Affairs, be very meaningful to us and will allow the business of government and the business of administering emergency measures to go on as it should.

I want to make a few points, Mr. Minister. You can stay if you wish or listen at some other point.

MR. DOYLE:

I am going to go out here.

MR. KELLAND:

That is fine. I am sure he will be back.

When I was preparing to rise and say a few words, Mr. Speaker, you replacement was in the Chair and I wanted to take that opportunity to congratulate him. I believe he does a good job when he is in the Chair, to take nothing away from Your Honour, of course, or other people who have occupied the Chair in an authoritative manner, applying good sense and good decisions to what we do in the House. I wanted to say that. Even though the hon. gentleman has now left the Chamber, I see nothing wrong with having that put into the record. He, like all of us, I guess, tries to the best of his ability to carry out his job and his functions in the House and I think he should be commended when he does that, as all members should, as I am now commending the Minister of Municipal Affairs and others for bringing about this

amendment, Bill 19.

I do not think there is any question about the fact that Municipal Affairs is the proper department for this and that is because in the set-up for emergency measures in municipalities, the town council and the mayor become the controlling agency in a municipality. References have to be made, because of that involvement and that responsibility, references have to be made on an almost continual basis to the Department of Municipal Affairs. So, to go through yet another department to get to the department which must supply certain supportive material, information and action probably creates, sometimes, a bit of a bottleneck. Municipal Affairs should be the one, and I am glad to see that.

I would say the department is certainly the right department but what may bother me a little bit now is whether or not the incumbent minister is the right minister. I do not really mean that in a derogatory sense but I see the minister is back in now so I prefer looking him in the eye when I say anything that he may construe to be derogatory. Examples of the ministers methods or philosophies in applying and discharging the duties of this ministry sometimes leaves me in a little doubt.

I do not know that we could ever accuse the minister, and hopefully we never will have to, accuse the minister of pork-barreling when it comes to emergency measures because those should be applied equally and fairly for the protection of our citizens, our property, and our Province,

regardless of where they live in the Province or who is representing them in the House of Assembly.

I know we will never have the opportunity nor would I want the opportunity to ever accuse him of doing anything with the allocation of funding, the concentration of effort on districts that are represented by government members. That, I believe, will never happen.

However, the question of whether or not the incumbent Minister of Municipal Affairs is the right minister has nothing to do with that but rather his ability to administer the department, which seems a little beyond his capabilities at the moment. He appears almost completely boggled by the need to dispense that which he does dispense to the many, many municipalities in our Province on a fair and equitable basis and that might call into doubt his abilities to administer yet another programme which has been assigned to him.

In emergency measures, since I have been a member of the House representing Naskaupi district, we have had the occasion to not just have a practice emergency measures operation and evacuation but indeed we did have to do an evacuation up there. Prior to my being elected to the House of Assembly as the member for Naskaupi district, I was on the municipal council for a number of years and was a proponent of getting in place an effective emergency measures plan for our area.

I must say that the councillors, deputy mayors, and so on, that I

worked with during that period of time, I thought, were very dedicated people that were trying their best to put an effective plan in place. I must commend the current council of Happy Valley - Goose Bay and all of those other organizations and other communities who involve themselves in making and creating an effective plan. I think they have done a good job.

By the very nature of Happy Valley - Goose Bay being the largest community in the Naskaupi district and the central community, often called the heart of Labrador, that part of the Province, by their very nature they are supportive of their smaller neighbouring communities, as they should be. This is done in a number of ways. We do have facilities there that a lot of communities in Canada, let alone our own Province, would be very, very proud to have and very happy to have.

In Happy Valley - Goose Bay we have perhaps more emergency equipment or equipment that could be converted to emergency use than practically any other community that I can think of. To give an example of that in just fire departments alone, we have the municipal fire department which employs four full-time fire fighters. We have a chief on retainer over and above those four and we probably have something like thirty volunteer fire fighters in our volunteer brigade that are all professional fire fighters who work for other agencies. They become volunteers when they are off duty from their regular, normal fire fighting jobs with Public Works Canada and Transport Canada. So, what I am saying here is we have professionally trained fire

fighters as our volunteer brigade which is unique, I would say.

Very few communities can say that. With the town's fire-fighting capability, Transport Canada's operation and the Public Works operation, we are very well equipped.

We probably have more emergency equipment, if you consider crash rescue and everything else that might be called on or called into service in the event of a disaster of any sort, we, again, are probably better off in a lot of communities, certainly a lot of smaller communities and certainly a lot of communities who do not have the advantage of having a major airport facility within their municipal boundaries.

In the recent - I am talking about over back over the past year or so - in the recent requirement to evacuate - and there are many possible disasters which could befall any community - but forest fire is one which, because of the close proximity of the woods to where we live in Happy Valley - Goose Bay and the other towns in my district, fire is one of the major disasters that we could possibly experience. When the need was there to evacuate Sheshatshit and North West River, we had a place in Happy Valley - Goose Bay, a ramp area, a wide open area that people could be taken to, and we have other facilities, large hanger buildings and things of this nature that can be put to use.

However, in the event, Mr. Speaker, that the entire Upper Lake Melville area had to be evacuated, that is to say, Mud Lake, Sheshatshit, North West River and Happy Valley - Goose

Bay, if all of these communities because of one single disaster or combination of disasters had to be evacuated, there is where I see a potential problem. Now it is not a simple matter to solve. I know that the town councils, other organizations and interested parties have had some input into how it should be done. In my mind, none of the suggested methods of total evacuation hold any practicality that I can see. That is the ones that were officially recommended, I believe. For example, water evacuation. I do recall somebody saying at one time that the Sir Robert Bond which can hold quite a few people if you are talking about only evacuation and not comfortable accommodation on ship board, the Sir Robert Bond could come in and take several loads and bring the people out the bay and drop them off. I can tell you that is exactly what the Sir Robert Bond would have to do is drop them off because there is no feasible way that they could unload them in a reasonable time to get back and get all the other loads they would have to take out.

Somebody else said that if you were to make use of military C-5As or similar aircraft, the world's largest transport aircraft, I guess, that if you could get enough of them in there, you could take everybody out in a reasonably short period of time. If that capability did exist to get a number of these large aircraft, I suppose that would be possible. We certainly have the runways that are capable of handling any kind of aircraft but I wonder about the mobilization of such a force to air evacuate that many people. If time was of the essence that may not be entirely practical, it may

not be practical at all.

Another method suggested, Mr. Speaker, was that everybody in the communities I mentioned could be evacuated by motor transportation up the road to Churchill Falls, 185 miles, approximately 300 kilometers from Goose Bay. As you know, of course, that road is little more than a tote road which is certainly opened during the forest fire season, which is the time you would need it for a situation such as that. I think one of the biggest disasters that could occur was if an attempt was made to evacuate 7,000 or 8,000 or 9,000 people up over that road. It just to me does not make any sense. I have lived there for twenty-one years and I know most of the conditions, transportation and otherwise, that exist there, perhaps all of them. It strikes me that to try to get enough vehicles that were in operating condition or good enough condition to guarantee that they could take people up over a narrow tote road of 185 miles without any mishap, I doubt that that could be done. If, in the event the fire spread or jumped over and a fire started up the Churchill Falls Road during such an evacuation, I think you would create panic on the narrow road. You would see people trying to turn back and so on. I think the biggest disaster then might be the fact of the mess that is created on the road and the fact that you may see lives lost, not directly attributable to the forest fire, but maybe indirectly because of an inadequate or improper evacuation plan. It sounds great, but in actual fact it would not be very practical.

I would like to suggest what I believe is the most practical method. We do have some large

cleared areas such as ramps and so on, and large hangers in which people could be housed. There is a lot of emergency equipment and so on. I would suggest that the way to deal with something like that would be to construct a sizeable, wider-than-normal fire break around that particular area, which would run from water to water, the natural barrier to fire. Quite a wide fire break, I would suggest, not the normal width, because when a forest fire is raging it can jump and flames can go quite a distance and cover a lot of space, more than the average person might imagine. Rather than evacuation, except in the case of those who require immediate medical attention, evacuate them that way, if the local facilities could not handle it, I believe then that the people within that particular fire break, water to water boundary, would do the fire fighting from within the area. I think that that is the most practical thing we could do, that we would not really evacuate but that we would fight the fire on the fire line from inside the boundary on the town side of the boundary providing the boundary was sufficiently wide that only in rare cases would fire get across. I think that would be the way to save our communities and save lives and save property.

DR. COLLINS:

The minister wants to respond to that.

MR. KELLAND:

We have lots of time, Mr. Minister, as far as I know. The House is not closed.

I think it is incumbent upon us as members of the House of Assembly to take the opportunity to discuss various items of concern to

ourselves as members of the House of Assembly and to the people we represent in our districts, in fact the Province, not just our own district.

The fact that the Minister of Finance (Dr. Collins) indicated to me that the minister would like to respond because it is getting close to six o'clock, that is sort of tough in a lot of ways. If I have not finished what I wanted to say, Mr. Speaker, I will continue until I do have it finished or until my time limit runs out.

Anyway, Mr. Speaker, to get back to what I was saying. I think that we have to address them. I just mentioned Happy Valley - Goose Bay and the Upper Lake Melville area as one example. They do have an approved plan in place at the moment, an emergency measures plan for Happy Valley - Goose Bay which would contribute and be supportive of the neighbouring area as well. I think the need is there to make sure that every community or every group of communities, if it is more practical to group the smaller communities into one area, make sure that every area, so designated and covered, has an effective emergency measures plan in place.

I would like to, of course, call on the minister and suggest to him that immediate attention be given to address the concerns of the districts, towns and areas in the Province who are not already covered, who have not taken the necessary steps to put an emergency measures plan in place.

I know that the minister, in taking on the new responsibility from the point of view of what the amendment says here, I know he

will take what I suggest to him in good faith and in the way it was intended so that we can make sure or go a long ways to making sure that the people in our Province and our property is protected to the fullest possible extent. The benefits, therefore, of having such a direct say into what happens with emergency measures, Mr. Speaker, I think will be tenfold or hundredfold. I think it is a good and practical move to have this amendment for the act.

Mr. Speaker, I would like to adjourn the debate and call it six o'clock.

MR. SPEAKER:

The debate has been adjourned by the hon. the member for Naskaupi.

MR. OTTENHEIMER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. OTTENHEIMER:

Mr. Speaker, I move that the House adjourn until tomorrow at 3:00 p.m. On Thursday we will have the opportunity to listen to the hon. gentleman's continuation.

I should inform the House now as well that we have been requested by Her Majesty's Loyal Opposition that the House not sit on Friday so they can, in convention, meet to designate a new leader. I understand it will probably be a leader with Silver Audi, yacht, etc., but certainly we are always pleased to comply.

MR. TULK:

And trust fund!

MR. OTTENHEIMER:

And trust fund as well, but we are

certainly very pleased to acquiesce to that request and look forward to an Audi - tious convention. We trust the hon. member for Gander who, obviously, is out trying to scrounge a few votes, will at least get a couple. I trust his family will be attending.

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